

# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

Case No. 6:12-CV-1588-ORL-28-DAB

vs.

THE GREEN SAVERS, LLC,  
a Florida limited liability company, et al.,

Defendants.

**AFFIDAVIT OF BRADLEY M. SAXTON**  
**AS TO COSTS AND TIME EXPENDED**

STATE OF FLORIDA  
COUNTY OF ORANGE

BEFORE ME, the undersigned Notary Public, duly authorized to take acknowledgments and administer oaths, this day personally appeared, BRADLEY M. SAXTON, attorney for the Court-appointed Receiver, Robert B. Morrison, in the above-styled cause of action, who, being by me first duly sworn, deposes and states:

1. This Affidavit is filed in support of the *Receiver's Initial Unopposed Motion for Payment of Compensation and Costs with Incorporated Memorandum of Law* ("Motion").
2. This Affidavit outlines the qualifications of the attorneys and paralegal who have worked on this case on behalf of the Receiver. Additionally, this affidavit explains the work that was performed for the Receiver and the reasonableness of the legal fees incurred thus far. Attached in support of this Affidavit and the Motion is an *Invoice* itemizing the costs and time expended for legal services performed on behalf of the Receiver, in addition to a *Summary of Work Performed by Category*.

**Attorney and Paralegal Qualifications**

**A. Bradley M. Saxton, Esq. – Shareholder Attorney**

3. I am a shareholder in the law firm of Winders, Haines, Ward & Woodman, P.A., which has been retained by the Receiver in this cause. I am the responsible billing attorney for this matter, and have primary billing responsibility on many other matters.

4. I was admitted to The Florida Bar in 1990 and I have more than 22 years of experience as a lawyer. I am a member of The Florida Bar, the United States District Court for the Northern District of Florida, the United States District Court for the Middle District of Florida, the United States District Court for the Southern District of Florida, and the United States Court of Appeals, Eleventh Circuit.

5. My practice focus is primarily on bankruptcy and creditor's rights cases, including extensive experience working with and representing trustees in bankruptcy cases. I have represented the Receiver in a previous Federal Trade Commission case. I have also represented receivers in state court actions, and have been involved in many cases under Fla. Stat. Ch. 727 involving assignments for the benefit of creditors.

6. I am a member of the Florida Bar Business Law Section, have served on the executive council for the Section, and have served as the Chair of the Section's Bankruptcy/UCC Committee. As a result of my involvement with the Florida Bar Business Law Section, in addition to my experience as a lawyer practicing commercial litigation, I am familiar with the reasonableness of attorneys' fees and costs when representing a receiver.

**B. C. Andrew Roy, Esq. – Associate Attorney**

7. C. Andrew Roy is an associate with our firm and obtained his law degree in 2011 from the University of Florida; since that time, he has devoted his practice to litigation in state

and federal courts, primarily bankruptcy and creditor's rights cases. While in law school at the University of Florida, Mr. Roy served as the President of The Florida Moot Court Team and researched diverse legal issues, drafted appellate-level briefs, and argued developing case law in front several panels of judges while participating as a moot court competitor.

8. In practice, Mr. Roy has worked on appellate issues involving federal law, including drafting principal briefs and outlining oral arguments. Mr. Roy is also a member of The Florida Bar, the United States District Court for the Northern District of Florida, the United States District Court for the Middle District of Florida, the United States District Court for the Southern District of Florida, and the United States Court of Appeals, Eleventh Circuit.

9. Under my supervision, Mr. Roy has handled many of the issues in this case, which, based on his hourly rate of \$190.00, has contributed to keeping the legal fees low while maintaining the quality of work performed. Mr. Roy's work includes researching legal issues regarding the Receiver's rights and responsibilities, drafting pleadings, and recovering receivership assets. Mr. Roy's hourly rate is \$190.00, which rate is well within the norm for associates working on federal litigation.

**C. Mary Emanuel – Paralegal**

10. Mary Emanuel is a paralegal with our firm and received her college degree in 1992. She joined our firm in 2009 and has worked as a paralegal for approximately ten (10) years. Ms. Emanuel received her Certified Legal Assistant/Certified Paralegal designation in 2000 from the National Association of Legal Assistants and her Florida Bar paralegal registration in 2008. Accordingly, she is qualified to provide the services shown on the Invoice attached hereto. Additionally, her rate of \$125 per hour is well within the norm for paralegal work for cases in Federal Court.

### **Work Performed and Results Obtained**

11. For the legal services our Firm provided to the Receiver, the following fees were incurred through December 31, 2012:

<b>Producer</b>	<b>Role</b>	<b>Rate</b>	<b>Hours</b>	<b>Amount</b>
Bradley M. Saxton	Partner	\$410.00	13.3	\$ 5,453.00
<i>Bradley M. Saxton</i>	<i>Partner</i>	<i>No Charge</i>	<i>0.5</i>	<i>\$ 0.00</i>
C. Andrew Roy	Associate	\$190.00	29.5	\$ 5,605.00
<i>C. Andrew Roy</i>	<i>Associate</i>	<i>No Charge</i>	<i>0.8</i>	<i>\$ 0.00</i>
Mary Emanuel	Paralegal	\$125.00	2.7	\$ 337.50
<b>TOTAL</b>				<b>\$ 11,395.50</b>

A typographical error was discovered in the *Invoice* attached and has been corrected.

12. The fees incurred by the Receiver are assignable to seven general categories of work performed, though, as illustrated below and in the attached *Summary*, most of the work performed by our Firm falls primarily into four of the seven categories:

<b>Category</b>	<b>Activity</b>	<b>Fees</b>
1	Pre-entry planning and initial entry	\$ 0.00
2	Creditor matters	\$ 1,627.00
3	Employee matters	\$ 0.00
4	Identify, locate, secure, and sell assets	\$ 5,319.50
5	Core litigation matters	\$ 527.00
6	Receivership administrative	\$ 3,922.00
7	Other activities	\$ 0.00
<i>NC</i>	<i>No charge</i>	<i>\$ 357.00</i>
<b>TOTAL</b>		<b>\$ 11,395.50</b>

13. Creditor Matters. To assist in the Receiver's duties, our Firm has analyzed issues concerning various creditors, primarily the landlord who leased the Offices to TGS and the Seminole County Tax Collector. Our Firm continues working to fully resolve these potential claims and has thus far minimized the Receivership Estate's exposure to claims of creditors.

14. Identify, locate, secure, and sell assets. Our Firm's most significant time invested in this case concerns the Receiver's marshaling and administration of Receivership assets. Of note, our Firm assisted the Receiver in recovering \$130,840.72 in chargeback reserves held by a

credit card processor. These funds are currently held in our Firm's trust account pending final determination of the Receiver's entitlement to those funds. As of last report from the processor, only \$45,815.00 in chargebacks have been processed since the turnover of funds. Additionally, our Firm assisted the Receiver in settling a state court claim against another processor in exchange for the outright turnover of funds. Furthermore, our Firm advised the Receiver as to liquidating certain tangible personal property of the Receivership Defendants in order to realize the full value of those assets without incurring additional liability for rent of TGS's Offices. In performing this work, our Firm also analyzed the legal issues associated with these activities, and drafted pleadings concerning the liquidation of certain assets via public auction, abandonment of the leased premises, and other issues including pleadings to comply with orders of this Court.

15. Core litigation matters. A majority of this work entailed ensuring the preservation of information, documents, and other evidence that may be essential to the underlying litigation. In addition, our Firm's work in this category focused on communicating with counsel for the FTC and the Receivership Defendants to coordinate the Receiver's role in the underlying litigation and allowing the inspection of Receivership property, including documents, available for inspection.

16. Receivership administrative. Our Firm's work in this category of activities centers on advising the Receiver as to his rights and responsibilities as determined by this Court's Orders, Federal law, and state law. Work in this category includes representing the Receiver at hearings, drafting necessary pleadings required by this Court, complying with deadlines set forth in Court Orders, assisting the Receiver in preparing his reports, filing the Receiver's Bond, and assisting in other administrative matters that concern the Receiver as a neutral agent of the Court.

17. The detail of and time associated with the tasks summarized above are reflected in the *Invoice* and *Summary* attached hereto.

### Costs Incurred

18. In addition to the legal fees incurred as illustrated above, the following costs were incurred through December 31, 2012:

Nature of Expense	Amount
Lexis® Research Charges	\$ 197.80
Photocopy Charges (121)	\$ 24.20
Long Distance Charges	\$ 1.20
<b>TOTAL</b>	<b>\$ 223.20</b>

19. In summary, our Firm assisted the Receiver in recovering much of the nearly \$180,000 in Receivership Defendant assets in the control of the Receiver thus far, while also working to preserve the Receivership Estate for the benefit of potential claimants. In so performing our duties as the Receiver's legal counsel, our Firm has expended a total of **\$11,618.70**, which includes no charge accommodations for certain work performed totaling \$357.00.

**FURTHER AFFIANT SAYETH NAUGHT.**


  
\_\_\_\_\_  
**BRADLEY M. SAXTON, ESQ.**

SWORN TO AND SUBSCRIBED before me by Bradley M. Saxton, Esq., who is ☒ personally known to me or ☐ produced \_\_\_\_\_ as identification, this 4<sup>th</sup> day of January, 2013.

(Notary Seal)

Notary Public



  
\_\_\_\_\_  
Signature  
My Commission Expires:

**WINDERWEEDLE, HAINES, WARD & WOODMAN, P.A.**  
**P.O. BOX 880**  
**WINTER PARK, FLORIDA 32790-0880**  
**(407)-423-4246**

January 03, 2013

Bob Morrison  
 Tedder, James, Worden & Associates, P.A.

# INVOICE

Matter ID: 74376

Matter Producer: BMS

Client ID: 20895CLI

Morrison, Bob as Receiver for Federal Trade Comm.v. Green Savers

Invoice # 318576

Federal ID # 59-1295597

**For Professional Services Rendered:**

10/24/2012	BMS	Call with B. Morrison regarding receivership (.1); review receivership order (.4); review issues regarding receivership (.6); correspondence to defendant's counsel (.1); call with B. Morrison (.1)	1.30 hr	\$533.00
10/26/2012	BMS	Call with B. Morrison and P. Dumm regarding bank accounts (.3); call with Tushaar Desai regarding cooperation by his client (.3)	0.60 hr	\$246.00
10/29/2012	BMS	Review several correspondence in this case	0.30 hr	\$123.00
10/29/2012	BMS	Call with B. Morrison (.2); call with Federal Trade Commission counsel (.3)	0.50 hr	\$205.00
10/30/2012	CAR	Initial review of order imposing preliminary injunction and appointing receiver	1.50 hr	\$285.00
10/30/2012	BMS	Review correspondence from B. Morrison and R. Bhimani and review draft of preliminary injunction order (.4)	0.40 hr	\$164.00
10/31/2012	CAR	Work on case for notice of appearance and other filings	0.20 hr	\$38.00
10/31/2012	BMS	Correspondence with B. Morrison regarding issues for hearing	0.20 hr	\$82.00
10/31/2012	BMS	Review correspondence from A. Roy regarding strategy (no charge)	0.20 hr	\$0.00
10/31/2012	BMS	Correspondence from B. Morrison (.2); call to M. Griffin (.1); review issues in preparation for hearing (.4)	0.70 hr	\$287.00
11/01/2012	BMS	Review draft of receiver's report (.5); call with attorney from Financial Transaction Services (.2) call with B. Morrison regarding case status and issues regarding lease, Financial Transaction Services suit and hearing (.4); received correspondence regarding lease (.1)	1.20 hr	\$492.00
11/01/2012	CAR	Conference with client regarding status of receivership and documents to file	0.40 hr	\$76.00
11/01/2012	CAR	Review and revise notice of appearance (0.2); continue review of order appointing receiver (0.4); review receiver's report (0.7)	1.50 hr	\$285.00
11/02/2012	BMS	Received correspondence from J. Wei regarding stipulated injunction order (.3); correspondence to J. Wei (.1); received correspondence from B. Morrison (.1); correspondence from J. Wei regarding hearing (.2)	0.70 hr	\$287.00
11/02/2012	BMS	Review correspondence and work on filing of receiver's report (no charge)	0.30 hr	\$0.00
11/02/2012	CAR	Revise receiver's report and finalize for filing (0.6); email counsel for FTS regarding settlement (0.2); review building lease (0.4)	1.20 hr	\$228.00
11/05/2012	BMS	Review for hearing in case and attend hearing and meeting with FTC counsel	1.60 hr	\$656.00
11/05/2012	CAR	Attend hearing on preliminary injunctions (no charge)	0.80 hr	\$0.00



Matter ID: 74376

Invoice # 318576

Federal ID # 59-1295597

**For Professional Services Rendered:**

11/05/2012	CAR	Review pleadings in case against FTS (0.3); email B. Morrison regarding analysis and possible settlement (0.1)	0.40 hr	\$76.00	
11/05/2012	BMS	Review court filed pleadings in the case	0.20 hr	\$82.00	
11/06/2012	BMS	Review analysis regarding FTS complaint	0.20 hr	\$82.00	
11/07/2012	BMS	Review regarding collection of funds from processor, review several correspondence regarding processor issue	0.40 hr	\$164.00	
11/07/2012	CAR	Phone call with J. Wei regarding turnover of processor reserves (0.5); review case law regarding turnover of processor reserves (0.2); draft update email to client regarding status of turnover of reserves (0.3)	1.00 hr	\$190.00	
11/07/2012	CAR	Phone calls with FTC counsel and representative of Newtek regarding reserves	0.50 hr	\$95.00	
11/08/2012	BMS	Review correspondence regarding processor funds	<del>3.00 hr</del> 0.3	<del>\$1,230.00</del>	\$123.00
11/09/2012	BMS	Work on issues in the case regarding recovery from processor and liquidation of items (.4); call with B. Morrison regarding liquidation (.1)	0.50 hr	\$205.00	
11/09/2012	CAR	Communicate with FTS counsel and client regarding settlement of claims	1.00 hr	\$190.00	
11/09/2012	CAR	Draft update email to client regarding outstanding issues in case	0.70 hr	\$133.00	
11/11/2012	CAR	Email FTS counsel regarding settlement	0.10 hr	\$19.00	
11/11/2012	CAR	Draft notice of liquidation and abandonment (2.3); email client regarding notice of liquidation and abandonment (0.1)	2.40 hr	\$456.00	
11/12/2012	BMS	Review correspondence regarding chargeback issue (.2)	0.20 hr	\$82.00	
11/14/2012	BMS	Review regarding notice of sale	0.10 hr	\$41.00	
11/14/2012	MEE	Search public records for current whereabouts of G. Michael Hall for attorney use	0.60 hr	\$75.00	
11/14/2012	BMS	Review pleadings in the case (.3)	0.30 hr	\$123.00	
11/14/2012	CAR	Review email from client regarding documents held	0.20 hr	\$38.00	
11/14/2012	CAR	Finalize notice of liquidation and abandonment for filing	0.30 hr	\$57.00	
11/14/2012	CAR	Draft demand letter to Newtek for turnover of reserves	1.40 hr	\$266.00	
11/15/2012	MEE	Emails to/from A. Roy, Esq. re reviewing filings and preparing Stipulation and Order of Dismissal	0.20 hr	\$25.00	
11/15/2012	MEE	Review filings in related circuit court case and confirm correct judge and related in preparation for Stipulation and Order of Dismissal	0.30 hr	\$37.50	
11/15/2012	MEE	Prepare initial draft Stipulation of Dismissal and proposed Order	0.50 hr	\$62.50	
11/15/2012	BMS	Review correspondence regarding collection from processor entities (.2); review and revise draft of letter to processor to demand payment (.3); review status of other processor claims (.2)	0.70 hr	\$287.00	
11/15/2012	CAR	Finalize demand letter to Newtek (0.4); email letter to Newtek (0.2)	0.60 hr	\$114.00	
11/15/2012	CAR	Draft certificates of interested persons and related cases	1.00 hr	\$190.00	
11/15/2012	CAR	Start drafting notice of dismissal of state court action	0.40 hr	\$76.00	
11/16/2012	BMS	Call with B. Morrison	0.10 hr	\$41.00	
11/18/2012	BMS	Review correspondence with Derek Depuydt, Joanie Wei and Marcie Lewis regarding asset freeze	0.30 hr	\$123.00	
11/20/2012	CAR	Emails regarding demand for Newtek to freeze assets and turnover reserves.	0.20 hr	\$38.00	
11/21/2012	CAR	Revise stipulation for dismissal (0.4); email FTS counsel regarding stipulation (0.1)	0.50 hr	\$95.00	
11/21/2012	CAR	Phone call with J. Wei regarding turnover of reserves by Newtek and response to demand (0.4); communications with Newtek counsel and client to coordinate turnover of reserves (0.8)	1.20 hr	\$228.00	

Matter ID: 74376

Invoice # 318576

Federal ID # 59-1295597

**For Professional Services Rendered:**

11/21/2012	BMS	Review pleading filed in case (.3); review correspondence regarding NewTek (.2)	0.50 hr	\$205.00
11/25/2012	BMS	Review stipulation (.1); review additional correspondence in case (.1)	0.20 hr	\$82.00
11/26/2012	CAR	Finalize stipulation for execution by FTS counsel (0.2); draft notice of settlement for filing (0.5); email FTS counsel regarding stipulation (0.2); email Newtek counsel regarding position as to reserves (0.2)	1.10 hr	\$209.00
11/27/2012	BMS	Review additional pleadings filed in case	0.20 hr	\$82.00
11/27/2012	BMS	Review correspondence regarding settlement, and notice of compromise (.2); receive correspondence from J. Wei to T. Desai (.1)	0.30 hr	\$123.00
11/27/2012	CAR	Phone call with J. Wei regarding case management order and determination of reserves ownership	0.20 hr	\$38.00
11/27/2012	CAR	Review and execute stipulation of dismissal for filing (0.2); review coorespondence to judge regarding stipulation and proposed order (0.2)	0.40 hr	\$76.00
11/27/2012	CAR	Phone call with J. Augustine regarding dismissal of case against FTS	0.10 hr	\$19.00
11/27/2012	MEE	Letter to Judge (circuit court case) re review of Stipulation for Dismissal and entry of Order of Dismissal; file and serve accordingly	0.50 hr	\$62.50
11/28/2012	CAR	Review emails from client regarding Quickbooks accounts	0.20 hr	\$38.00
11/28/2012	CAR	Review bond and draft notice of filing bond	0.40 hr	\$76.00
11/28/2012	CAR	Analyze issues regarding priority tax lien and selling property	1.30 hr	\$247.00
11/28/2012	CAR	Phone call with J. Wei regarding FTC's position as to working out Newtek reserves issue	0.20 hr	\$38.00
11/28/2012	CAR	Emails with counsel for Newtek and FTC regarding lien documentation and conference call	0.30 hr	\$57.00
11/29/2012	MEE	Search California public records to determine if any UCC filings have been filed in connection with Green Savers and search name variations to ensure accuracy; email A. Roy, Esq. re results	0.60 hr	\$75.00
11/29/2012	CAR	Emails regarding submitting original bond to clerk	0.10 hr	\$19.00
11/29/2012	CAR	Analyze issues regarding processor reserves by reviewing merchant agreement documents	0.80 hr	\$152.00
11/29/2012	CAR	Emails with client regarding processor reserves issues	0.50 hr	\$95.00
11/29/2012	CAR	Emails with FTC and counsel for Newtek regarding chargebacks and reserves	0.20 hr	\$38.00
11/30/2012	CAR	Conference call with J. Wei and R. Bhimani regarding reserves and chargeback issues	0.20 hr	\$38.00
11/30/2012	CAR	Analyze tangible tax issue and status of return filing; communications with tax collector's office	1.00 hr	\$190.00
11/30/2012	CAR	Phone call to B. Morrison regarding status of tangible tax issue	0.20 hr	\$38.00
11/30/2012	CAR	Phone call to M. Ash regarding reserves turnover issue	0.20 hr	\$38.00
12/02/2012	BMS	Review pleadings in case, defendant's answer (.1); review correspondence regarding Bond (.2)	0.30 hr	\$123.00
12/11/2012	CAR	Review emails regarding reserve balance and abandoning lease	0.20 hr	\$38.00
12/13/2012	BMS	Correspondence regarding auction and abandonment	0.30 hr	\$123.00
12/13/2012	CAR	Draft letter to lease company regarding abandonment of lease and vacate premises	0.60 hr	\$114.00
12/13/2012	CAR	Emails regarding release of FTS litigation funds	0.20 hr	\$38.00
12/13/2012	CAR	Emails regarding lease abandonment issues	0.40 hr	\$76.00
12/13/2012	CAR	Analyze issues regarding cleanup of leased premises and priority of claim, if any	1.90 hr	\$361.00
		Review correspondence regarding landlord issues		

Matter ID: 74376

Invoice # 318576

Federal ID # 59-1295597

**For Professional Services Rendered:**

12/14/2012	BMS		0.20 hr	\$82.00
12/17/2012	BMS	Review of case management order	0.20 hr	\$82.00
12/17/2012	CAR	Phone call with D. Figliolia regarding lease and deposit issues	0.20 hr	\$38.00
12/18/2012	CAR	Draft turnover letter to Progress Energy (0.5); emails with client regarding status of reserves and lease issues (0.2)	0.70 hr	\$133.00
12/20/2012	CAR	Review correspondence from Progress Energy (0.3); analyze issues regarding ownership of deposit (0.3); draft email to client regarding turnover of utility deposit (0.1)	0.70 hr	\$133.00
12/20/2012	CAR	Phone call with B. Hagey of Seminole County Tax Collector	0.30 hr	\$57.00
12/20/2012	CAR	Correspondence with defendants' counsel regarding inspection of documents	0.20 hr	\$38.00
12/20/2012	BMS	Review correspondence regarding tangible property taxes	0.10 hr	\$41.00
12/27/2012	BMS	Review issues in case and compliance with court obligations	0.20 hr	\$82.00

Total Professional Services: ~~\$12,502.50~~  
\$11,395.50

**For Disbursements Incurred:**

10/31/2012	Lexis Computer Research Charges	\$3.61
11/30/2012	Lexis Computer Research Charges	\$194.19
11/30/2012	121 Photocopy Charges	\$24.20
11/30/2012	Long Distance Charge	\$1.20

Total Disbursements Incurred: \$223.20

**INVOICE SUMMARY**

<u>Producer</u>	<u>Role</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Brad Saxton	PARTNER	\$0.00	0.50	\$0.00
Brad Saxton	PARTNER	\$410.00	<del>16.00</del> 13.3	<del>\$6,560.00</del> \$5,453.00
Mary Emanuel	PARALEGAL	\$125.00	2.70	\$337.50
C. Andrew Roy	ASSOCIATE	\$0.00	0.80	\$0.00
C. Andrew Roy	ASSOCIATE	\$190.00	29.50	\$5,605.00

For Professional Services: ~~49.50 Hours~~ ~~\$12,502.50~~  
46.80 Hours \$11,395.50

For Disbursements Incurred: \$223.20

**Total this Invoice:** ~~\$12,725.70~~  
\$11,618.70

**Please return one copy of this Invoice with your payment. Thank you.**

FTC v. The Green Savers, LLC, et. al.

Case. No. 6:12-CV-1588-ORL-28-DAB

**Summary of Work Performed by Category**

Winderweedle, Haines, Ward &amp; Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
<b><u>Category 1</u></b>					
<b>Pre-entry Planning and Initial Entry</b>					
				<b>Total</b>	<b>\$ 0.00</b>
<b><u>Category 2</u></b>					
<b>Creditor Matters</b>					
2	11/1/2012	BMS	Received correspondence regarding lease	0.1	\$ 41.00
2	12/14/2012	BMS	Review correspondence regarding landlord issues	0.2	\$ 82.00
2	12/20/2012	BMS	Review correspondence regarding tangible property taxes	0.1	\$ 41.00
2	11/2/2012	CAR	Review building lease	0.4	\$ 76.00
2	11/11/2012	CAR	Draft notice of liquidation and abandonment (1/2)	1.1	\$ 209.00
2	11/11/2012	CAR	Email client regarding notice of liquidation and abandonment	0.1	\$ 19.00
2	11/28/2012	CAR	Analyze issues regarding priority tax lien and selling property	1.3	\$ 247.00
2	11/30/2012	CAR	Analyze tangible tax issue and status of return filing; communications with tax collector's office	1.0	\$ 190.00
2	11/30/2012	CAR	Phone call to B. Morrison regarding status of tangible tax issue	0.2	\$ 38.00
2	12/11/2012	CAR	Review emails regarding reserve balance and abandoning lease (1/2)	0.1	\$ 19.00
2	12/13/2012	CAR	Draft letter to lease company regarding abandonment of lease and vacate premises	0.6	\$ 114.00
2	12/13/2012	CAR	Emails regarding lease abandonment issues	0.4	\$ 76.00
2	12/13/2012	CAR	Analyze issues regarding cleanup of leased premises and priority of claim, if any	1.9	\$ 361.00
2	12/17/2012	CAR	Phone call with D. Figliolia regarding lease and deposit issues	0.2	\$ 38.00
2	12/18/2012	CAR	Emails with client regarding status of reserves and lease issues (1/2)	0.1	\$ 19.00
2	12/20/2012	CAR	Phone call with B. Hagey of Seminole County Tax Collector	0.3	\$ 57.00
				<b>Total</b>	<b>\$ 1,627.00</b>
<b><u>Category 3</u></b>					
<b>Employee Matters</b>					
				<b>Total</b>	<b>\$ 0.00</b>

FTC v. The Green Savers, LLC, et. al.

Case. No. 6:12-CV-1588-ORL-28-DAB

**Summary of Work Performed by Category**

Winderweedle, Haines, Ward &amp; Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
<b><u>Category 4</u></b>					
<b>Identify, Locate, Secure, and Sell Assets</b>					
4	10/26/2012	BMS	Call with B. Morrison and P. Dumm regarding bank accounts	0.3	\$ 123.00
4	10/29/2012	BMS	Call with B. Morrison	0.2	\$ 82.00
4	10/31/2012	BMS	Correspondence from B. Morrison	0.2	\$ 82.00
4	10/31/2012	BMS	Call to M. Griffin	0.1	\$ 41.00
4	11/1/2012	BMS	Call with attorney from Financial Transaction Services	0.2	\$ 82.00
4	11/1/2012	BMS	Call with B. Morrison regarding case status and issues regarding lease, Financial Transaction Services suit and hearing	0.4	\$ 164.00
4	11/6/2012	BMS	Review analysis regarding FTS complaint	0.2	\$ 82.00
4	11/7/2012	BMS	Review regarding collection of funds from processor, review several correspondence regarding processor issue	0.4	\$ 164.00
4	11/8/2012	BMS	Review correspondence regarding processor funds	0.3	\$ 123.00
4	11/9/2012	BMS	Work on issues in the case regarding recovery from processor and liquidation of items	0.4	\$ 164.00
4	11/9/2012	BMS	Call with B. Morrison regarding liquidation	0.1	\$ 41.00
4	11/12/2012	BMS	Review correspondence regarding chargeback issue	0.2	\$ 82.00
4	11/14/2012	BMS	Review regarding notice of sale	0.1	\$ 41.00
4	11/15/2012	BMS	Review correspondence regarding collection from processor entities	0.2	\$ 82.00
4	11/15/2012	BMS	Review and revise draft of letter to processor to demand payment	0.3	\$ 123.00
4	11/15/2012	BMS	Review status of other processor claims	0.2	\$ 82.00
4	11/18/2012	BMS	Review correspondence with Derek Depuydt, Joanie Wei and Marcie Lewis regarding asset freeze	0.3	\$ 123.00
4	11/21/2012	BMS	Review pleading filed in case	0.3	\$ 123.00
4	11/21/2012	BMS	Review correspondence regarding NewTek	0.2	\$ 82.00
4	11/25/2012	BMS	Review stipulation	0.1	\$ 41.00
4	11/27/2012	BMS	Review correspondence regarding settlement, and notice of compromise	0.2	\$ 82.00
4	12/13/2012	BMS	Correspondence regarding auction and abandonment	0.3	\$ 123.00
4	11/2/2012	CAR	Email counsel for FTS regarding settlement	0.2	\$ 38.00

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**Summary of Work Performed by Category**

Winderweedle, Haines, Ward &amp; Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
4	11/5/2012	CAR	Review pleadings in case against FTS	0.3	\$ 57.00
4	11/5/2012	CAR	Email B. Morrison regarding analysis and possible settlement	0.1	\$ 19.00
4	11/7/2012	CAR	Phone call with J. Wei regarding turnover of processor reserves	0.5	\$ 95.00
4	11/7/2012	CAR	Review case law regarding turnover of processor reserves	0.2	\$ 38.00
4	11/7/2012	CAR	Draft update email to client regarding status of turnover of reserves	0.3	\$ 57.00
4	11/7/2012	CAR	Phone calls with FTC counsel and representative of Newtek regarding reserves	0.5	\$ 95.00
4	11/9/2012	CAR	Communicate with FTS counsel and client regarding settlement of claims	1.0	\$ 190.00
4	11/11/2012	CAR	Email FTS counsel regarding settlement	0.1	\$ 19.00
4	11/11/2012	CAR	Draft notice of liquidation and abandonment (1/2)	1.2	\$ 228.00
4	11/14/2012	CAR	Finalize notice of liquidation and abandonment for filing	0.3	\$ 57.00
4	11/14/2012	CAR	Draft demand letter to Newtek for turnover of reserves	1.4	\$ 266.00
4	11/15/2012	CAR	Finalize demand letter to Newtek	0.4	\$ 76.00
4	11/15/2012	CAR	Email letter to Newtek	0.2	\$ 38.00
4	11/15/2012	CAR	Start drafting notice of dismissal of state court action	0.4	\$ 76.00
4	11/20/2012	CAR	Emails regarding demand for Newtek to freeze assets and turnover reserves.	0.2	\$ 38.00
4	11/21/2012	CAR	Revise stipulation for dismissal	0.4	\$ 76.00
4	11/21/2012	CAR	Email FTS counsel regarding stipulation	0.1	\$ 19.00
4	11/21/2012	CAR	Phone call with J. Wei regarding turnover of reserves by Newtek and response to demand	0.4	\$ 76.00
4	11/21/2012	CAR	Communications with Newtek counsel and client to coordinate turnover of reserves	0.8	\$ 152.00
4	11/26/2012	CAR	Finalize stipulation for execution by FTS counsel	0.2	\$ 38.00
4	11/26/2012	CAR	Draft notice of settlement for filing	0.5	\$ 95.00
4	11/26/2012	CAR	Email FTS counsel regarding stipulation	0.2	\$ 38.00
4	11/26/2012	CAR	Email Newtek counsel regarding position as to reserves	0.2	\$ 38.00
4	11/27/2012	CAR	Phone call with J. Wei regarding case management order and determination of reserves ownership	0.2	\$ 38.00
4	11/27/2012	CAR	Review and execute stipulation of dismissal for filing	0.2	\$ 38.00
4	11/27/2012	CAR	Review coorespondence to judge regarding stipulation and proposed order	0.2	\$ 38.00



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**Summary of Work Performed by Category**

Winderweedle, Haines, Ward &amp; Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
4	11/27/2012	CAR	Phone call with J. Augustine regarding dismissal of case against FTS	0.1	\$ 19.00
4	11/28/2012	CAR	Review emails from client regarding Quickbooks accounts	0.2	\$ 38.00
4	11/28/2012	CAR	Phone call with J. Wei regarding FTC's position as to working out Newtek reserves issue	0.2	\$ 38.00
4	11/28/2012	CAR	Emails with counsel for Newtek and FTC regarding lien documentation and conference call	0.3	\$ 57.00
4	11/29/2012	CAR	Analyze issues regarding processor reserves by reviewing merchant agreement documents	0.8	\$ 152.00
4	11/29/2012	CAR	Emails with client regarding processor reserves issues	0.5	\$ 95.00
4	11/29/2012	CAR	Emails with FTC and counsel for Newtek regarding chargebacks and reserves	0.2	\$ 38.00
4	11/30/2012	CAR	Conference call with J. Wei and R. Bhimani regarding reserves and chargeback issues	0.2	\$ 38.00
4	11/30/2012	CAR	Phone call to M. Ash regarding reserves turnover issue	0.2	\$ 38.00
4	12/11/2012	CAR	Review emails regarding reserve balance and abandoning lease (1/2)	0.1	\$ 19.00
4	12/13/2012	CAR	Emails regarding release of FTS litigation funds	0.2	\$ 38.00
4	12/18/2012	CAR	Draft turnover letter to Progress Energy	0.5	\$ 95.00
4	12/18/2012	CAR	Emails with client regarding status of reserves and lease issues (1/2)	0.1	\$ 19.00
4	12/20/2012	CAR	Review correspondence from Progress Energy	0.3	\$ 57.00
4	12/20/2012	CAR	Analyze issues regarding ownership of deposit	0.3	\$ 57.00
4	12/20/2012	CAR	Draft email to client regarding turnover of utility deposit	0.1	\$ 19.00
4	11/14/2012	MEE	Search public records for current whereabouts of G. Michael Hall for attorney use	0.6	\$ 75.00
4	11/15/2012	MEE	Emails to/from A. Roy, Esq. re reviewing filings and preparing Stipulation and Order of Dismissal	0.2	\$ 25.00
4	11/15/2012	MEE	Review filings in related circuit court case and confirm correct judge and related in preparation for Stipulation and Order of Dismissal	0.3	\$ 37.50
4	11/15/2012	MEE	Prepare initial draft Stipulation of Dismissal and proposed Order	0.5	\$ 62.50
4	11/27/2012	MEE	Letter to Judge (circuit court case) re review of Stipulation for Dismissal and entry of Order of Dismissal; file and serve accordingly	0.5	\$ 62.50

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### **Summary of Work Performed by Category**

Winderweedle, Haines, Ward & Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
4	11/29/2012	MEE	Search California public records to determine if any UCC filings have been filed in connection with Green Savers and search name variations to ensure accuracy; email A. Roy, Esq. re results	0.6	\$ 75.00
				<b>Total</b>	<b>\$ 5,319.50</b>

<b><u>Category 5</u></b> <b>Core Litigation Matters</b>					
5	10/24/2012	BMS	Correspondence to defendant's counsel	0.1	\$ 41.00
5	10/26/2012	BMS	Call with Tushaar Desai regarding cooperation by his client	0.3	\$ 123.00
5	10/29/2012	BMS	Call with Federal Trade Commission counsel	0.3	\$ 123.00
5	11/27/2012	BMS	Receive correspondence from J. Wei to T. Desai	0.1	\$ 41.00
5	12/2/2012	BMS	Review pleadings in case, defendant's answer	0.1	\$ 41.00
5	12/17/2012	BMS	Review of case management order	0.2	\$ 82.00
5	11/14/2012	CAR	Review email from client regarding documents held	0.2	\$ 38.00
5	12/20/2012	CAR	Correspondence with defendants' counsel regarding inspection of documents	0.2	\$ 38.00
				<b>Total</b>	<b>\$ 527.00</b>

<b><u>Category 6</u></b> <b>Receivership Administrative</b>					
6	10/24/2012	BMS	Call with B. Morrison regarding receivership	0.1	\$ 41.00
6	10/24/2012	BMS	Review receivership order	0.4	\$ 164.00
6	10/24/2012	BMS	Review issues regarding receivership	0.6	\$ 246.00
6	10/24/2012	BMS	Call with B. Morrison	0.1	\$ 41.00
6	10/29/2012	BMS	Review several correspondence in this case	0.3	\$ 123.00
6	10/30/2012	BMS	Review correspondence from B. Morrison and R. Bhimani and review draft of preliminary injunction order	0.4	\$ 164.00
6	10/31/2012	BMS	Correspondence with B. Morrison regarding issues for hearing	0.2	\$ 82.00
6	10/31/2012	BMS	Review issues in preparation for hearing	0.4	\$ 164.00
6	11/1/2012	BMS	Review draft of receiver's report	0.5	\$ 205.00



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**Summary of Work Performed by Category**

Winderweedle, Haines, Ward &amp; Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
6	11/2/2012	BMS	Received correspondence from J. Wei regarding stipulated injunction order	0.3	\$ 123.00
6	11/2/2012	BMS	Correspondence to J. Wei	0.1	\$ 41.00
6	11/2/2012	BMS	Received correspondence from B. Morrison	0.1	\$ 41.00
6	11/2/2012	BMS	Correspondence from J. Wei regarding hearing	0.2	\$ 82.00
6	11/5/2012	BMS	Review for hearing in case and attend hearing and meeting with FTC counsel	1.6	\$ 656.00
6	11/5/2012	BMS	Review court filed pleadings in the case	0.2	\$ 82.00
6	11/14/2012	BMS	Review pleadings in the case	0.3	\$ 123.00
6	11/16/2012	BMS	Call with B. Morrison	0.1	\$ 41.00
6	11/25/2012	BMS	Review additional correspondence in case	0.1	\$ 41.00
6	11/27/2012	BMS	Review additional pleadings filed in case	0.2	\$ 82.00
6	12/2/2012	BMS	Review correspondence regarding Bond	0.2	\$ 82.00
6	12/27/2012	BMS	Review issues in case and compliance with court obligations	0.2	\$ 82.00
6	10/30/2012	CAR	Initial review of order imposing preliminary injunction and appointing receiver	1.5	\$ 285.00
6	10/31/2012	CAR	Work on case for notice of appearance and other filings	0.2	\$ 38.00
6	11/1/2012	CAR	Conference with client regarding status of receivership and documents to file	0.4	\$ 76.00
6	11/1/2012	CAR	Review and revise notice of appearance	0.2	\$ 38.00
6	11/1/2012	CAR	Continue review of order appointing receiver	0.6	\$ 114.00
6	11/1/2012	CAR	Review receiver's report	0.7	\$ 133.00
6	11/2/2012	CAR	Revise receiver's report and finalize for filing	0.6	\$ 114.00
6	11/9/2012	CAR	Draft update email to client regarding outstanding issues in case	0.7	\$ 133.00
6	11/15/2012	CAR	Draft certificates of interested persons and related cases	1.0	\$ 190.00
6	11/28/2012	CAR	Review bond and draft notice of filing bond	0.4	\$ 76.00
6	11/29/2012	CAR	Emails regarding submitting original bond to clerk	0.1	\$ 19.00
<b>Total</b>				<b>\$ 3,922.00</b>	

**Category 7**  
**Other Activities**

**Total \$ 0.00**

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**Summary of Work Performed by Category**

Winderweedle, Haines, Ward & Woodman, P.A.

Category	Date	Producer	Entry	Time	Amount
<b>NO CHARGE ITEMS</b>					
NC	10/31/2012	BMS	Review correspondence from A. Roy regarding strategy (no charge)	0.2	\$ (82.00)
NC	11/2/2012	BMS	Review correspondence and work on filing of receiver's report (no charge)	0.3	\$ (123.00)
NC	11/5/2012	CAR	Attend hearing on preliminary injunctions (no charge)	0.8	\$ (152.00)
				<b>Total</b>	<b>\$ (357.00)</b>
					<b>TOTAL FEES \$ 11,395.50</b>