

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION  
[www.flsb.uscourts.gov](http://www.flsb.uscourts.gov)

IN RE:

Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,  
PALM BEACH FINANCE II, L.P.,

CASE NO. 09-36379-EPK  
CASE NO. 09-36396-EPK  
(Jointly Administered)

Debtors.

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**LIQUIDATING TRUSTEE'S *EX PARTE* MOTION  
TO FILE DOCUMENT UNDER SEAL**

Barry E. Mukamal, in his capacity as Liquidating Trustee of the Palm Beach Finance Partners Liquidating Trust and Palm Beach Finance II Liquidating Trust ("*Liquidating Trustee*"), by and through undersigned counsel, pursuant to Bankruptcy Rule 9037(c) and Local Rules 5005-1(A)(4)(c)(ii) and 9013-1(C)(1), seeks an Order from this Court, on an *ex parte* basis, directing the Clerk of Court to file under seal a document referenced in the Motion of Meland Budwick, P.A. for Additional Fee Pursuant to Court Approved 2010 Fee Agreement filed contemporaneously herewith ("*Additional Fee Motion*") and described as the "Report Card." In support, the Liquidating Trustee states:

1. During the cases, the Liquidating Trustee's accountants periodically created an internal schedule of aggregate recoveries and expenses, referred to colloquially as the "*Report Card*."

2. The Additional Fee Motion refers to the Report Card for the period ending December 31, 2020. Certain data contained in the Report Card is subject to confidentiality restrictions. *See* ECF Nos. 1920, 1923, 1924. Therefore, in an abundance of caution, the Liquidating Trustee requests that he be permitted to file the Report Card under seal. The Trustee

notes that many of the pertinent non-confidential figures set forth in the Report Card are set forth in the Additional Fee Motion and therefore available to stakeholders.

3. A proposed Order is attached as Exhibit A.

WHEREFORE, the Liquidating Trustee respectfully requests that this Court enter an Order (similar in form to the attached Exhibit A): (1) granting this Motion on an *ex parte* basis; (2) directing the Clerk of the Court to file the Report Card under seal; and (3) granting such further relief this Court deems just and proper.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on January 29, 2021, a true and correct copy of the foregoing was served via the Court's Notice of Electronic Filing upon Registered Users listed on the attached Exhibit 1.

s/ Michael S. Budwick  
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IN RE:

Chapter 11

PALM BEACH FINANCE PARTNERS, L.P.,  
PALM BEACH FINANCE II, L.P.,

CASE NO. 09-36379-EPK  
CASE NO. 09-36396-EPK  
(JOINTLY ADMINISTERED)

Debtors.

---

**EX PARTE ORDER GRANTING LIQUIDATING TRUSTEE'S  
MOTION TO FILE DOCUMENT UNDER SEAL**

**THIS MATTER** came before the Court *ex parte* upon *Liquidating Trustee's Ex Parte Motion to File Document Under Seal* ("**Motion**") [ECF No. \_\_\_\_]. The Court having reviewed the Motion and Court file and based on the record, finds good cause to grant the Motion.

Accordingly, it is **ORDERED** that:

1. The Motion is **GRANTED**.
2. The Clerk of the Court is directed to docket the Document under seal.

###

**Submitted By:**

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**Copies Furnished To:**

Michael S. Budwick, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.

**EXHIBIT A**

**Mailing Information for Case 09-36379-EPK****Electronic Mail Notice List**

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