

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-PGH  
Case No.: 09-36396-PGH  
(Jointly Administered)

Debtors.

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***EX PARTE* MOTION TO AMEND: (I) THE EMPLOYMENT APPLICATION OF JOHN H. GENOVESE AND GENOVESE JOBLove & BATTISTA, P.A.; AND (II) ORDER AUTHORIZING THE EMPLOYEMENT AND RETENTION OF JOHN H. GENOVESE AND GENOVESE JOBLove & BATTISTA, P.A.,  
AS EXPERTS [ECF Nos. 1155 AND 1202]**

Barry Mukamal, in his capacity as liquidating trustee (the “*Liquidating Trustee*”), through undersigned counsel, moves to amend (the “*Motion*”): (I) the Application to Employ John H. Genovese and Genovese Joblove & Battista, P.A. (the “*Application*”) [ECF No. 1155]; and (II) the Order Authorizing the Employment and Retention of John H. Genovese and Genovese Joblove & Battista, P.A. as Experts (the “*Employment Order*”) [ECF No. 1202] to include the *nunc pro tunc* employment date of the Applicant<sup>1</sup> of March 27, 2012. In support hereof, the Liquidating Trustee states as follows:

1. On March 28, 2012, the Liquidating Trustee filed the Application on behalf of John H. Genovese and Genovese Joblove & Battista, P.A. (the “*Applicant*”).
2. The Employment Order was entered by the Court on April 18, 2012, authorizing the Applicant to perform the necessary, specialized services on behalf of the Liquidating Trustee.

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<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the Employment Order.

3. The Application inadvertently excluded that the retention is requested to be authorized *nunc pro tunc* to March 27, 2012.

4. Per this Motion, the Liquidating Trustee requests that this Court amend the Employment Order to include the employment of the Applicant *nunc pro tunc* to March 27, 2012.

5. A proposed Order is attached hereto as Exhibit A.

**WHEREFORE**, the Liquidating Trustee respectfully requests an order (i) granting the Motion; (ii) amending the Employment Order to include the *nunc pro tunc* employment date of the Applicant to March 27, 2012; and (iii) for such further relief as this Court deems just and proper.

Dated: August 22, 2012.

s/ Solomon B. Genet  
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Attorneys for the Liquidating Trustee

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was served via the Court's Notice of Electronic Filing upon Registered Users set forth on the attached Exhibit 1 on August 22, 2012.

s/ Solomon B. Genet  
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**EXHIBIT "A"**

UNITED STATES BANKRUPTCY COURT  
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**In re:**

**Chapter 11**

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

**Case No.: 09-36379-PGH  
Case No.: 09-36396-PGH  
(Jointly Administered)**

**Debtors.**

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**ORDER GRANTING *EX PARTE* MOTION TO AMEND: (I) THE EMPLOYMENT APPLICATION OF JOHN H. GENOVESE AND GENOVESE JOBLOVE & BATTISTA, P.A.; AND (II) ORDER AUTHORIZING THE EMPLOYEMENT AND RETENTION OF JOHN H. GENOVESE AND GENOVESE JOBLOVE & BATTISTA, P.A.,  
AS EXPERTS [ECF Nos. 1155 AND 1202]**

THIS CAUSE came before the Court on an *ex-parte* basis, upon the Liquidating Trustee's *Motion to Amend: (I) The Employment Application of John H. Genovese and Genovese Joblove & Battista, P.A.; and (II) Order Authorizing the Employment and Retention of John H. Genovese and Genovese Joblove & Battista, P.A., as Experts [ECF Nos. 1155 and 1202]* (the

“*Motion*”) [ECF No. ---]. The Court having considered the Motion, and finding good cause to grant the Motion,

**ORDERS** as follows:

1. The Motion is **GRANTED**.
2. The Application<sup>1</sup> and Employment Order authorizing the retention of John H. Genovese and Genovese Joblove & Battista, P.A. are amended so that the retention is authorized *nunc pro tunc* to March 27, 2012.

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**Submitted By:**

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**Copies Furnished To:**

Solomon B. Genet, Esquire, is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.

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<sup>1</sup> Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

**Exhibit 1**

**Mailing Information for Case 09-36379-PGH**

**Electronic Mail Notice List**

The following is the list of **parties** who are currently on the list to receive email notice/service for this case.

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