



ORDERED in the Southern District of Florida on August 19, 2013.

**Paul G. Hyman, Chief Judge
United States Bankruptcy Court**

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

In re:)	Chapter 11
)	
PALM BEACH FINANCE PARTNERS, L.P., a)	Case No. 09-36379-BKC-PGH
Delaware limited partnership, and PALM BEACH)	
FINANCE II, L.P., a Delaware limited)	Hon. Paul G. Hyman, Jr.
partnership,)	
)	
Debtors.)	
)	

EX PARTE ORDER

(I) AUTHORIZING FILING OF MOTION FOR APPROVAL OF CONFIDENTIAL SETTLEMENT AGREEMENT UNDER SEAL; (II) SETTING AN *IN CAMERA* HEARING THEREON; (III) ESTABLISHING PROCEDURES FOR PROVIDING NOTICE OF THE SEALED MOTION AND *IN CAMERA* HEARING; AND (IV) APPROVING FORMS AND RELATED NOTICE PROCEDURES

THIS MATTER comes before the Court upon the agreed joint ex parte motion (the “*Motion*”)¹ of Barry Mukamal, as liquidating trustee (the “*Trustee*”) of the Palm Beach Finance Partners Liquidating Trust and the Palm Beach Finance II, L.P. Liquidating Trust, Defendant

¹ Unless otherwise defined herein, capitalized terms shall have the meanings ascribed to such terms in the Motion.

Atradius Trade Credit Insurance, Inc. (“*Atradius*”), and Defendant The Christensen Group, Inc. d/b/a Christensen Group Insurance Resources International (“*CG*” and, together with Atradius, the “*Defendants*”, and together with the Trustee, the “*Parties*”), for entry of an Order: (a) authorizing the Trustee to file under seal a motion for approval of a confidential settlement agreement and for limited relief from the post-confirmation quarterly operating reporting requirements; (b) setting an *in camera* hearing thereon; (c) establishing procedures for providing notice of the sealed motion and the *in camera* hearing; and (d) approving the forms of notice and a confidentiality agreement and related third party agreement to be bound thereby to be used in connection therewith; the Court having duly considered the Motion and all matters relevant thereto; the Court finding that the relief requested in the Motion complies with sections 102(1) and 107(b)(1) of the Bankruptcy Code, Bankruptcy Rules 2002, 9018 and 9019, and the Local Rules; and the Court otherwise determining that good and sufficient cause exists for the relief requested in the Motion;

IT IS HEREBY ORDERED:

1. The Motion is granted as set forth herein.
2. The Trustee is authorized to file under seal the Rule 9019 Motion (and attached Settlement Agreement), which shall remain under seal until further order of the Court, and for limited relief from the post-confirmation quarterly operating reporting requirements, as set forth in paragraph 8 below.
3. The Court shall consider the Rule 9019 Motion and approval of the Settlement Agreement at an *in camera* hearing on **September 10, 2013 at 1:30 p.m.** at the United States Bankruptcy Court, 1515 North Flagler Drive, Room 801, Courtroom A, West Palm Beach, Florida 33401. Any discussion of the Rule 9019 Motion and the Settlement Agreement shall be conducted *in camera*.

4. The Notice Procedures set forth in the Motion are approved in all respects, and the Trustee is authorized to undertake the Notice Procedures with respect to providing notice of the Rule 9019 Motion and the *in camera* hearing thereon.

5. The form of the Notice attached as ***Exhibit B*** to the Motion is approved in all respects, and the Trustee is authorized to utilize the Notice in connection with the Notice Procedures.

6. The form of the Confidentiality Agreement and related Agreement to be Bound attached to the Motion as ***Exhibit C*** are approved in all respects, and the Trustee is authorized to utilize the Confidentiality Agreement and Agreement to be Bound in connection with the Notice Procedures.

7. Any objections to or other written submissions with respect to the Rule 9019 Motion and approval of the Settlement Agreement shall be filed under seal and served as set forth in the Notice, no later than **September 3, 2013**.

8. Nothing herein, and nothing in the Confidentiality Agreement, shall prohibit the Trustee from complying with his post-confirmation quarterly operating reports, which will not change insofar as how they reflect the overall cash position of the Trusts. In any such reports that are publicly filed or otherwise provided to a party other than those with knowledge of the terms of the Settlement Agreement, as set forth herein, the Trustee shall redact or leave blank any information regarding the source and uses of funds received pursuant to the Settlement Agreement and case name/number to which these funds relate, but will otherwise set forth the dollar amount and date related thereto.

9. The Trustee is authorized to take all actions necessary to effectuate the relief granted by this Order in accordance with the Motion.

10. The Rule 9019 Motion, the Settlement Agreement, and any other materials to be filed under seal pursuant to this Order, shall be sealed permanently, including after the disposition of the Debtors' Chapter 11 proceedings, to be unsealed only pursuant to an order of this Court. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

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Order Submitted by:

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Special Counsel for Barry E. Mukamal, Liquidating Trustee

Counsel for the Trustee is directed to serve copies of this Order on all parties in interest and to file a Certificate of Service.