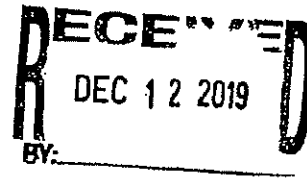


**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 12/12/2019 4:30:00 PM.****

IN THE CIRCUIT COURT FOR THE
17TH JUDICIAL CIRCUIT IN AND
FOR BROWARD COUNTY, FLORIDA

CASE NO: CACE10-049061 (12)

DANIEL S. NEWMAN, as Receiver for
FOUNDING PARTNERS STABLE VALUE
FUND, L.P., FOUNDING PARTNERS
STABLE VALUE FUND II, LP; FOUNDING
PARTNERS GLOBAL FUND, LTD.;
and FOUNDING PARTNERS HYBRID-VALUE
FUND, LP,



Plaintiff,

vs.

ERNST & YOUNG, LLP, a Delaware Limited
Liability Partnership, and MAYER BROWN, LLP,
an Illinois Limited Liability Partnership,

Defendants.

**ORDER ON MAYER BROWN LLP'S MOTION FOR PARTIAL SUMMARY
JUDGMENT ON COUNTS XI AND XII**

This cause came before the Court on Mayer Brown LLP's ("Mayer Brown") Motion for Partial Summary Judgment on Counts XI and XII ("Motion"). Having reviewed the Motion, response, reply, court file, and having heard argument of counsel, it is hereby **ORDERED AND ADJUDGED** that Mayer Brown's Motion is **GRANTED**. The Court finds that Mayer Brown has tendered competent evidence demonstrating that the intended recipients of the cover letter in question are investors, **not the Funds**, and, as such, the Funds could not have relied upon the cover letter. The Receiver has not furnished counterevidence sufficient to create a genuine issue on the foregoing.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida on this 10 day of Dec, 2019.


HONORABLE JOHN J. MURPHY III
CIRCUIT COURT JUDGE