#### UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

CASE NO. 2:09-cv-229-FTM-29 SPC

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

Vs.

FOUNDING PARTNERS CAPITAL MANGEMENT, CO., and WILLIAM L. GUNLICKS,

Defendants.

SUN CAPITAL, INC., SUN CAPITAL HEALTHCARE, INC., FOUNDING PARTNERS STABLE-VALUE FUND, LP, FOUNDING PARTNERS STABLE-VALUE FUND II, LP, FOUNDING PARTNERS GLOBAL FUND, LTD, and FOUNDING PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

#### **DEFENDANT WILLIAM L. GUNLICKS'** RENEWED EMERGENCY MOTION TO MODIFY THE ASSET FREEZE AND MEMORANDUM OF LAW

Defendant William L. Gunlicks, through undersigned counsel, hereby renews his motion for a modification of this Court's Order freezing all of his personal assets. As grounds for this renewed Motion, Mr. Gunlicks states as follows:

#### I. PROCEDURAL HISTORY AND FACTUAL BACKGROUND

On April 20, 2009, the Securities and Exchange Commission ("SEC") sought and obtained an Order Freezing Assets and Other Emergency Relief ("Asset Freeze Order").

Docket Entry ("D.E.") 10. Specifically, the Asset Freeze Order imposed a blanket asset freeze on all funds and assets belonging to Mr. Gunlicks. D.E. 10. In response to the Asset Freeze Order, Mr. Gunlicks filed an Emergency Motion to Amend and/or Modify Order Freezing Assets and Other Emergency Relief. D.E. 43. The Court heard oral argument on May 5, 2009. On May 7, 2009, the Court entered an Order denying Mr. Gunlicks' Motion, but holding that the Court had discretion to modify the asset freeze order and granting leave to Mr. Gunlicks to file a renewed motion for modification of the asset freeze if "factual support is adequately demonstrated." D.E. 56, at 10. The Court further deemed \$5,912,500.00 to be the amount that must be frozen to protect investors "in the absence of the presentation of a more specific figure by the SEC." D.E. 56 at 8-9. At this time, Mr. Gunlicks requests that the Court unfreeze any assets belonging to him that exceed the \$5,912,500.00 figure.

## II. THE ASSET FREEZE SHOULD BE MODIFIED AS TO ASSETS VALUED IN EXCESS OF \$5,912,500

Mr. Gunlicks is prepared to pledge his investments, described in paragraphs six through eleven of his Declaration, to satisfy the amount of assets that must be frozen pursuant to the Court's May 7, 2009 Order. Declaration of William L. Gunlicks Personal Assets attached hereto as Exhibit A. These assets are valued well above the \$5,912,500 figure identified by the Court. In fact, Mr. Gunlicks values these assets at approximately \$6,457,938, which far exceeds the amount of assets that need to be frozen to protect investors. *See* Gunlicks Asset Declaration at ¶¶ 6-11. Because Mr. Gunlicks does not have access to Founding Partners Capital Management Co.'s ("FP") office in Naples,

Florida or even his computer or emails, he can only provide an estimate (based on his memory) of his assets. *See* Gunlicks Asset Declaration at ¶ 5. As a result, he is prepared to pledge more assets than required to satisfy the amount of the asset freeze.

Accordingly, Mr. Gunlicks requests that this Court enter an order determining that the assets described in paragraphs six through eleven of his Affidavit are sufficient to satisfy the amount required to be frozen. Mr. Gunlicks further requests that this Court lift the Asset Freeze Order as it relates to the assets described in paragraphs twelve through seventeen of Mr. Gunlicks Declaration. *See* Gunlicks Asset Declaration.

# III. ALTERNATIVELY, THE ASSET FREEZE SHOULD BE MODIFIED TO PERMIT PAYMENT OF EXPENSES TO PRESERVE ASSETS, LIVING EXPENSES, AND ATTORNEYS' FEES

The Asset Freeze Order has made it impossible for Mr. Gunlicks to preserve assets. Namely, Mr. Gunlicks and his wife own five pieces of real estate that need to be preserved. *See* Declaration of William L. Gunlicks regarding Expenses attached hereto as Exhibit B. Specifically, as detailed in Mr. Gunlicks Declaration, he needs \$21,693.35 a month to preserve his real estate properties. *See* Gunlicks Expenses Declaration at ¶ 14.

Additionally, the Asset Freeze Order has left Mr. Gunlicks, the sole income earner in his household, unable to provide basic necessities for himself and his wife. *See* Gunlicks Expenses Declaration at ¶¶ 7 and 23. Specifically, Mr. Gunlicks needs approximately \$2943 a month to purchase food and pay bills necessary to maintain shelter for his family. *See* Gunlicks Expenses Declaration at ¶20.

The asset freeze also precludes Mr. Gunlicks from presenting an adequate defense in this case. It would be an extreme hardship to deny Mr. Gunlicks the ability to pay for an attorney. Mr. Gunlicks needs \$75,000 to pay the initial retainer for the services of the law firm of Carlton Fields, P.A. *See* Gunlicks Expenses Declaration at ¶ 21.

Accordingly, Mr. Gunlicks requests that if the Asset Freeze Order is not lifted as described in Section II supra, this Court modify the Asset Freeze Order to permit Mr. Gunlicks funds to preserve assets, provide for his family's living expenses, and pay attorneys' fees.

Undersigned counsel has attempted to negotiate acceptable allowances with the SEC. To date, the parties have been unable to agree.

For stated reasons, William L. Gunlicks request that the Court lift the freeze order as to his personal assets that exceed the \$5,912,500 figure and/or modify the Asset Freeze Order to provide him with the ability to pay for expenses related to the preservation of assets, living expenses, and attorneys' fees.

Respectfully submitted,

s/ Walter J. Taché

Walter J. Taché
Florida Bar No. 028850
Paul Calli
Florida Bar No. 994121
Marissel Descalzo
Florida Bar No. 0669318
CARLTON FIELDS
100 S.E. 2<sup>ND</sup> STREET, SUITE 4000
Miami, Florida 33131

Telephone: (305) 530-0500 Facsimile: (305) 530-0055 Attorneys for William Gunlicks

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 19, 2009, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to received electronically Notices of Electronic Filing, as well as by email to all counsel.

#### SERVICE LIST

Leyza F. Blanco, Esq. GrayRobinson, P.A. 1221 Brickell Avenue, Suite 1600 Miami, Florida 33131

Telephone: (305) 416-6880 Facsimile: (305) 416-6887

Email: Leyza.Blanco@gray-robinson.com Court-appointed Receiver for Defendant Founding Partners Capital Management, Co.,

and Relief Defendants, Founding Partners Stable-Value Fund, LP, Founding Partners Stable-Value Fund, LP, Founding Partners Stable-Value Fund II, LP, Founding Partners Global Value Fund Ltd., and Founding Partners Hybrid-Value, LP

Alissa M. Ellison, Esq. GrayRobinson, P.A. 201 North Franklin Street, Suite 2200 Tampa, Florida 33602 Telephone: (813) 273-5000 Facsimile: (813) 273-5145 Email: AEllison@gray-robinson.com

Service by CM/ECF Electronic Notice

Co-counsel for Receiver
Service by CM/ECF Electronic Notice

Frederick S. Schrils, Esq. GrayRobinson, P.A. 201 North Franklin Street, Suite 2200 Tampa, Florida 33602

Telephone: (813) 273-5000 Facsimile: (813) 273-5145

Email: fschrils@gray-robinson.com

Counsel for Receiver

Service by CM/ECF Electronic Notice

C. Read Sawczyn, Esq.
GrayRobinson, P.A.
201 North Franklin Street, Suite 2200
Tampa, Florida 33602
Telephone: (813) 273-5000
Facsimile: (813) 273-5145
Email: rsawczyn@gray-robinson.com
Co-counsel for Receiver

Service by CM/ECF Electronic Notice

Sarah S. Gold, Esq.
Proskauer Rose LEP
1585 Broadway
New York, New York 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900
Email: sgold@proskauercom
Counsel for Relief Defendants
Sun Capital, Inc. and
Sun Capital Healthcare, Inc.
Service by CM/ECF Electronic Notice

C. Ian Anderson
Securities and Exchange Commission
801 Brickell Avenue, Suite 1800
Miami, Florida 33131
Service by CM/ECF Electronic Notice
E-mail: andersonci@sec.gov
Counsel for Securities and Exchange
Commission
Service by CM/ECF Electronic Notice

Frank Terzo, Esq.
GrayRobinson, P.A.
1221 Brickell Avenue, Suite 1600
Miami, Florida 33131
Telephone: (305) 416-6880
Facsimile: (305) 416-6887
Email: Frank.Terzo@gray-robinson.com
Counsel for Court-appointed Receiver
Service by CM/ECF Electronic Notice

I further certify that on the same date I mailed the foregoing document and the notice of electronic filing by U.S. Mail and email to the following non-CM/ECF participants:

Vincent Paparo, Esq. Proskauer Rose LLP 1585 Broadway New York, New York 10036 Telephone: (212) 969-3125 Facsimile: (212) 969-2900

Email: vpaparo@proskauercom Counsel for Relief Defendants Sun Capital,

Inc. and Sun Capital Healthcare, Inc.

s/ Walter Taché Walter Taché Attorney at Law

# **EXHIBIT "A"**

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#### UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

CASE NO. 2:09-cv-229-FTM-29 SPC

SECURITIES AND EXCHANGE COMMISSION,

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Vs.

FOUNDING PARTNERS CAPITAL MANGEMENT, CO., and WILLIAM L. GUNLICKS,

Defendants,

SUN CAPITAL, INC., SUN CAPITAL HEALTHCARE, INC., FOUNDING PARTNERS STABLE-VALUE FUND, LP, FOUNDING PARTNERS STABLE-VALUE FUND II, LP, FOUNDING PARTNERS GLOBAL FUND, LTD, and FOUNDING PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

#### **DECLARATION OF WILLIAM GUNLICKS**

- I, William L. Gunlicks, hereby declare as follows:
- 1. I am over the age of eighteen (18) and am otherwise sui juris.
- 2. Unless otherwise stated, I have personal knowledge of the information provided herein.
- On April 20, 2009, the Securities and Exchange Commission ("SEC") 3. sought and was granted an Ex Parte Emergency Motion for Asset Freeze ("Asset Freeze") over all of my personal assets.

- 4. At the time the court granted the Asset Freeze, I was in Founding Partners Capital Management Co.'s ("FP") Chicago, Illinois office. Two attorneys from a law firm appointed by the Receiver evicted me from my office and instructed me not to return. In fact, I am not permitted to return to any of my offices, access my emails, or even my computer. My office at FP in Naples, Florida houses many of my personal business records.
- 5. I was surprised by the SEC's actions and therefore, I did not have time to accumulate documents or remove personal files from my offices such as bank account statements, financial statements, tax information, or any other kind of document referencing my personal assets. It is difficult for me to provide documentation of my personal assets because I do not have access to the offices where this information is located. Additionally, banks where I maintain accounts are refusing to speak to me as a result of the Court's order. Regardless, I have tried to accumulate as much information as possible to provide documentation of my current assets.

#### **INVESTMENTS**

6. I have approximately \$2,500,000.00 personally invested in Founding Partners Stable-Value, L.P., Founding Partners Stable-Value Fund II, L.P., Founding Partners Hybrid-Value Fund, L.P., and Founding Partners Global Fund, Inc. Class A shares (collectively "Funds"). These Class A shares are titled in my name. As a result of the asset freeze, I do not have access to the Funds' records. The following are estimates (based upon my memory) of the amounts invested in individual funds:

- (a) Approximately \$603,901 IRA capital account balance in Stable-Value Fund, L.P.
- Approximately \$555,908 capital account balance in Stable-Value (b) Fund, L.P.
- (c) Approximately \$450,000 capital account balance in Stable-Value Fund II, L.P.
- (d) Approximately \$70,000 IRA capital account balance in Hybrid-Value Fund, L.P.
- (e) Approximately \$250,000 capital account balance in Hybrid-Value Fund, L.P.
- (f) Approximately \$700,000 IRA capital account balance in Founding Partners Global Fund, Ltd. Class A shares.
- Approximately \$1,157,938 capital account balance in stock I own and 7. titled in my name in Founding Partners Capital Management Company and invested in Founding Partners Stable-Value Fund, L.P. As a result of the asset freeze, I do not have access to the Funds' records.
- 8. Approximately \$650,000 capital account balance in stock I own and titled in my name in Founding Partners Capital Management Company invested in Founding Partners Stable-Value Fund II, L.P. As a result of the asset freeze, I do not have access to the Funds' records.
- 9. Approximately \$1,000,000 capital account balance in stock I own and titled in my name in Founding Partners Capital Management Company invested in

Founding Partners Hybrid-Value Fund, L.P. As a result of the asset freeze, I do not have access to the Funds' records.

- 10. Common stock in First National Bank of Gulf Coast, Naples, Florida valued at approximately \$300,000. See Confirmations of stock purchase attached hereto as Exhibit 1.
- 11. An unsecured personal note owed to me from Promise Healthcare, Inc. in the amount of \$850,000. The note is signed by Peter Baronoff, Chairman of Promise Healthcare, Inc. and Howard Koslow, President of Promise Healthcare, Inc. The borrowing rate on the note is the Prime Rate. As a result of the asset freeze, I do not have access to a copy of the Note. The Note is located inside my office in Naples, Florida.

#### **REAL ESTATE PROPERTY**

- 12. My wife and I purchased real property located at 12355 Collier Blvd., Unit / C, Naples, Florida in 1989 for \$80,000. See Collier County Property Appraisal Detail attached hereto as Exhibit 2. The property's taxable value is \$133,000.00. See id. The principal mortgage balance owed on this property is \$49,679.62. See Regions Bank statement attached hereto as Exhibit 3. Our equity in this property is at minimum \$83,321.00.
- 13. My wife and I purchased a property located at 6465 GI Way Din'Trail, Presque Isle, WI 54557 in 1992 for \$377,500. The property's taxable value is \$1,001,500. See Vilas County Tax Data attached hereto as Exhibit 4. The principal mortgage balance owed on this property is \$495,684.76. See M&I Marshall and Ilsley Bank Statement attached hereto as Exhibit 5. My good faith estimate of the property's

market value is approximately \$2,200,000. Our equity in this property is approximately \$1,704,316.00.

- 14. My wife and I purchased a property located at 1717 Gulf Shore Blvd., Unit 503, Naples, Florida in 2002 for \$720,000. See Collier County Property Appraiser Detail attached hereto as Exhibit 6. The property's taxable value is \$768,357.00. See id. The principal mortgage balance owed on this property is \$524,352.03. See Fifth Third Bank Statement attached hereto as Exhibit 7. The home equity line balance owed on this property is \$139,962. As a result of the asset freeze, I do not have access to my home equity line statement. My good faith estimate of the property's market value is \$950,000. Our equity in this property is approximately \$285,686.
- 15. My wife and I purchased a property located at 1717 Gulf Shore Blvd., Unit 801, Naples, Florida in 2008 for \$1,320,000.00. See Collier County Property Appraisal Detail attached hereto as Exhibit 8. The property's taxable value is \$903,993.00. See id. The principal mortgage owed on this property is \$757,022.62. See Suntrust Statement Attached hereto as Exhibit 9. The home equity line owed on this property is \$278,825.18. See Suntrust Statement Attached hereto as Exhibit 10. My good faith estimate of the property's market value is approximately \$1,250,000. Our equity in this property is at minimum \$214,153.
- 16. My wife purchased a property located at 341 Sheridan Road, Winnetka, Illinois in 2008 for \$1,860,000. See Cook County Assessor's Office Detail attached hereto as Exhibit 11. The property's estimated market value according to the county is \$1,168,609.00. See id. The principal balance owed on this property is \$1,400,000.00.

Page 7 of 42

See North Shore Community Bank and Trust Statement attached hereto as Exhibit 12. My good faith estimate of the property's market value is approximately \$2,500,000. Our equity in this property is approximately \$1,100,000.00

#### **Other Assets**

17. My wife and I have a joint checking account at North Shore Community Bank and Trust, Our account balance in that account is \$125,387.28. See North Shore Community Bank and Trust Statement attached hereto as Exhibit 13.

#### **Conclusion**

18. I value these assets at approximately \$9,970,801.00.

Executed on May 14, 2009.

WILLIAM GUNLICKS

## **EXHIBIT "1"**



3560 Kraft Road Naples, FL 34105 239.348.8000 Fax - 239.213.3342

To:	Maris	ssel Descatzo - Carl	ton Fields Fr	om:	Ann Crowley	
Fax:	305-5	530-0055	Pa	ages:	3	
Phon	e:		Da	ate:	May 8, 2009	
Re:	Stock	k Purchase	C	C:	William Gunlicks 84	17-446-8824
□ Urţ	jent	☑ For Review	☐ Please Comm	ent	☐ Please Reply	☐ Please Recycle
				·····		

#### • Comments:

Attached are copies of the confirmations for your purchase of First National Bank of the Gulf Coast stock at \$10 per share.

Please let me know if you need any additional information.

Shares purchased by the undersigned shall be registered as listed below. (If certificates for shares are to be issued in more than one name, please specify whether ownership is to be as tenants in common, joint tenants with right of survivorship, etc. If shares are to be held in joint ownership, each owner must sign. If certificates for shares are to be issued in the name of one person for the benefit of another, please indicate whether registration should be as trustee or custodian for such person, and specify the exact name and date of the trust and/or other pertinent information concerning the trust or custodial arrangement. If a corporation, please sign in full corporate name by president or other authorized officer.)

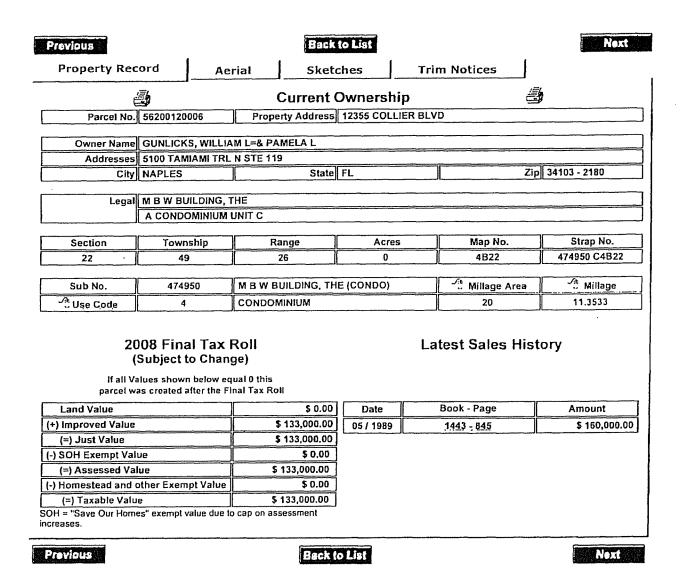
WILLIAM L. GUNLICKS	20,000
Name(s) in which Shares are to be Registered (please print or type)	Number of Shares (At \$10.00 Per Share) (at least 250 shares and no more than 100,000 shares)
Dated: JULY 30,2008	
(Signature)	(Signature)
WILLIAM L. GUNLICKS	
Name (please print or type)	Name (please print or type)
Please print title or capacity (if other than individual shareholder)	Please print title or capacity (if other than individual shareholder)
Street Address  5100 N. TAMIAMITRAL  NAPLES FL 34/03  City and State  Zip	Street Address
City and State Zip  237-514-2900 203  847-638-2900 CEC	City and State Zip
Telephone	Telephone
508-54-4090	
Social Security Number or Taxpayer I.D. Number	Social Security Number or Taxpayer I.D. Number
TO BE COMPLETED BY FIRST NATIONAL BA	NK OF THE GULF COAST
Accepted as of Qugust \5	. 2008, as to 30,000 shares.
First National Bank	of the Gulf Coast (In Organization)
By: Lea	2 Ting
Gary L. Tick.	Chairman and Chief Executive Officer

\_\_\_\_\_

Shares purchased by the undersigned shall be registered as listed below. (If certificates for shares are to be issued in more than one name, please specify whether ownership is to be as tenants in common. joint tenants with right of survivorship, etc. If shares are to be held in joint ownership, each owner must sign. If certificates for shares are to be issued in the name of one person for the benefit of another, please indicate whether registration should be as trustee or custodian for such person, and specify the exact name and date of the trust and/or other pertinent information concerning the trust or custodial arrangement. If a corporation, please sign in full corporate name by president or other authorized officer.)

WILLIAM L. GUNGICKS	10,000
Name(s) in which Shares are to be Registered	Number of Shares
(please print or type)	(At \$10.00 Per Share)
	(at least 250 shares and no more than
,	100,000 shares)
Dated: 7-5-08	
m Z Sunlick	
(Signature)	(Signature)
WILLIAM C. GUNCIEKS  Name (please print or type)	
Name (please print or type)	Name (please print or type)
Please print title or capacity	Please print title or capacity
(if other than individual shareholder)	(if other than individual shareholder)
Street Address	Street Address
3 CO NCIAMIAMI TAN	IL, STETTO
WAPLES, FL34/05	Ciara d Cara
City and State Zip	City and State Zip
Street Address $\frac{STOON + STOMINM}{NAPLES} + \frac{5100}{100} + \frac{34103}{100}$ City and State $\frac{239 - 514 - 2700}{100} + \frac{514}{100} + \frac{514}{10$	'. <u>/_</u>
Telephone	Telephone
	•
Social Security Number or Taxpayer I.D. Number	Social Security Number or Taxpayer I.D. Number
TO BE COMPLETED BY FIRST NATIONAL BA	ANK OF THE GULF COAST
Accepted as of October 23	2008, as to <u>/0000</u> shares.
First National Bank	of the Gulf Coast (In Organization)
/_	11
Bu De	, & Sing
By: Gary I. Tiga	Chairman and Chief Executive Officer
Gary L. Aice	Chairman and Chief Executive Officer
/	

## EXHIBIT "2"



The Information is Updated Weekly.

**EXHIBIT "3"** 

Document 72-2 Filed 05/19/2009

03 PAGE Page 15 of 42



NAPLES - PINE RIDGE ROAD P O BOX 1984 BIRMINGHAM AL 35201

Page 1 of 1

ladadahahas Milana dinakhas Markilan dari da Mari 0000090201MB 0.369001 WILLIAM L GUNLICKS 5100 TAMIAMI TRL N APT 119 NAPLES FL 34103-2180

Scheduled Payment Amount:

\$891.44 \$0.00

Past Due Amount: Principal Due:

\$662.58 \$228.86

Payment Due Date:

Per Diem: 8.174100 Interest Due: 992 Debt Protection Due: 4 Debt Protection Due: 6.000% Other Fees Due: 992 Debt Protection Due: 6.000% Other Fees Due: 993 Debt Protection 03/18/09

Late Fee Due: Other Fees Due: Total Amount Due:

\$0.00 \$0.00 \$0.00 \$891.44

int paid last year:

\$3,315.29

#### LOAN STATEMENT February 3, 2009 through March 3, 2009

	DETAIL	
Trans Date	Trans Description	Trans Amount
02/03/09 02/18/09 02/18/09 02/18/09	Balance Forward ACH Payment - Thank You Pmt Detail - Int Pmt Detail - Prin	49,679.62 891.44 256.68 634.76
03/03/09	Ending Principal Balance	49,044.86

If you have any questions about your account, please contact us at 1-877-430-4562.

#### Inaccurate Credit Information

Notify us at the following address if you believe any information we have reported or may report to a credit bureau about your loan is inaccurate: Credit information Department, Regions Bank, P.O. Box 11007, Birmingham, AL 35288.

\* NOTE: Principal due, interest due, and debt protection due amounts shown above are an estimate only. Actual principal, interest, and debt protection amounts paid may vary depending on the actual date that the payment is received. The actual amounts applied to principal, interest, and debt protection will be reflected on your next statement.

REGIONS WILLIAM L GUNLICKS 5100 TAMIAMI TRL N APT 119 NAPLES FL 34103

#### LOAN DRAFT NOTICE

#### 

**Account Number:** 

092/733/00007000003060

Total Amount Due:

\$891.44

Payment Due Date:

03/18/09

Do Not Mail - Automatic Draft

**EXHIBIT "4"** 

### TAX DATA

TWN OF PRESQUE ISLE

<u>COMPUTER NUMBER</u>
22-1012-01

PHYSICAL LOCATION
6465 GI-WAY-DIN TRL

SECTION / TOWN / RANGE 32 / 43 / 6

DOCUMENT NUMBERS 621/553

BRIEF LEGAL DESDRIPTION
PRT NE SE PCL 1 ASSMT INC
CN 1012-02

	TA	X DATA			
	2008	2007	2006	2005	
TOTAL ACREAGE	1.43				
LAND ASSESSED VALUE	\$325,100	\$325,100	\$325,100	\$325,100	
IMPROVED ASSESSED VALUE	\$676,400	\$676,400	\$400,000	\$224,900	
FAIR MARKET VALUE	\$1,593,781	\$1,552,853	\$1,036,669	\$696,264	
MILL RATE	11.095007	11.091850	11.293176	10.575987	
TAX RATIO	.628380	.644942	.699452	.789930	
TOTAL	\$11,098.24	\$11,108.48	\$8,188.68	\$5,816.79	
FIRST DOLLAR CREDIT	\$13.41	\$0.00	\$0.00	\$0.00	
SPECIAL CHARGES	\$0.00	\$0.00	\$0.00	\$0.00	
LOTTERY TAX CREDIT	\$0.00	\$0.00	\$0.00	\$0.00	
	71				

GENERAL TAX D	UE	\$11,098.24		\$11,108.48		\$8,188.68		\$5,816.79	
	2008		2007		2006		2005		
FIRST INSTALLMENT	FIRST INSTALLMENT		\$5,549.12		4	\$4,094.34		\$2,908.40	
SECOND INSTALLMENT		\$5,549.12		\$5,554.24		\$4,094.34		\$2,908.39	
		2008		2007		2006		2005	
PAID TO DATE	\$1	1,098.24	\$11,108.48		\$8,188.68			\$5,816.79	
CURRENT DUE		\$0.00	\$0.00		\$0.00		\$0.00		
INTEREST	,	\$0.00		\$0.00		\$0.00		\$0.00	
TOTAL PAYOFF		\$0.00	f	\$0.00		\$0.00		\$0.00	

Return to Main Property Selection Page

#### Tax Year

The year the tax bill was issued.

#### **Gross General Tax**

The total amount originally due on the tax bill.

#### Paid to Date

The total amount of taxes, special charges, special assessments and delinquent charges paid to date. This does not include any interest/penalty.

#### **Current Due**

The total amount of taxes, special charges, special assessments and delinquent that are currently due.

#### Interest

The amount of interest due on Current Due. This amount is computer for payments postmarked no later than 8/31/2009.

#### Penalty

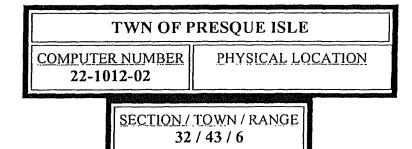
The amount of penalty due on Current Duc. This amount is computed for payments postmarked no later than 8/31/2009.

#### **Total Payoff**

The total amount due, including any interest and penalty. This amount is computed for

### VILAS COUNTY TAX DATA

### TAX DATA



DOCUMENT NUMBERS 621/553

BRIEF LEGAL DESDRIPTION PRT GOVT LOT 7 & NE SE PCL 2 1.51A ASSMT COMB W/CN 1012-01

TAX DATA											
	2008	2007	2006	2005							
		][	<u> </u>	][]							
TOTAL ACREAGE	1.51			]							
LAND ASSESSED VALUE	\$0	\$0	\$0	\$0							
IMPROVED ASSESSED VALUE	\$0	\$0	\$0 \$0								
FAIR MARKET VALUE	\$0	\$0	\$0	\$0							
MILL RATE	11.095007	11.091850	11.293176	10.575987							
TAX RATIO	.628380	.644942	.699452	.789930							
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00							
FIRST DOLLAR CREDIT	\$0.00	\$0.00	\$0.00	\$0.00							
SPECIAL CHARGES	\$0.00	\$0.00	\$0.00	\$0.00							
LOTTERY TAX	\$0.00	\$0.00	\$0.00	\$0.00							

CREDIT	]	.,					
GENERAL TAX D	\$0.00		\$0.00		\$0.00	\$0.00	
	2008		2007		2006	2005	
FIRST INSTALLM	FIRST INSTALLMENT			\$0.00		\$0.00	\$0.00
SECOND INSTALLMEN	SECOND INSTALLMENT		\$0.00			\$0.00	\$0.00
		2008	2007			2006	2005
PAID TO DATE	S	0.00	\$0.00			\$0.00	\$0.00
CURRENT DUE	\$0.00		\$0.00			\$0.00	\$0.00
INTEREST	\$0.00			\$0.00		\$0.00	\$0.00
TOTAL PAYOFF	\$(	0.00	\$0.00			\$0.00	\$0.00

Return to Main Property Selection Page

#### Tax Year

The year the tax bill was issued.

#### Gross General Tax

The total amount originally due on the tax bill.

#### Paid to Date

The total amount of taxes, special charges, special assessments and delinquent charges paid to date. This does not include any interest/penalty.

#### Current Due

The total amount of taxes, special charges, special assessments and delinquent that are currently due.

#### Interest

The amount of interest due on Current Due. This amount is computer for payments postmarked no later than 8/31/2009.

#### Penalty

The amount of penalty due on Current Due. This amount is computed for payments postmarked no later than 8/31/2009.

#### **Total Payoff**

## EXHIBIT "5"

Page 22 of 42

PAGE 06

- M&I MARSHALL AND ILSLEY BANK M&I DIRECT 1-800-236-1221 P O BOX 3203 MILWAUKEE WI 53201-3203 Loan Year-To-Date Activity

0881.00034593- 2 000

WILLIAM L GUNLICKS PAMELA L GUNLICKS 630 WILLOW RD WINNETKA IL 60093-9136  
 Appount Note
 00008420861 41015

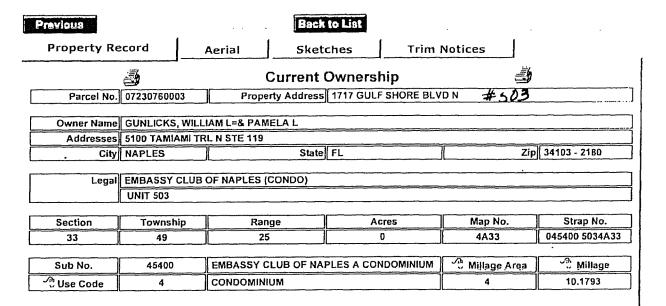
 Interest Rate
 4,500000

 YTD Interest Total Payment Amount
 \$33,083.62 \$3,469.74

Posting Date	Effective Date	Transaction Description	Total :-	Principal	Interest	Late Feel	Escrow	Insurance
END OF P	HEVIOUS	YEAR BALANCES		\$504,537.20			\$0.00	
1/02/08	01/01/08	PAYMENT	\$3,858.92	\$600,45	\$3,258.47	\$0.00	\$0.00	\$0.0
02/01/08	02/01/08	PAYMENT	\$3,459.74	\$730.08	\$2,729.66	\$0,00	\$0.00	\$0.0
03/03/08	03/01/08	PAYMENT	\$3,459.74	\$734.04	\$2,725.70	\$D.00	\$0.00	\$0.0
04/01/08	04/01/08	PAYMENT	\$3,459,74	\$738.01	\$2,721.73	\$0,00	\$0.00	\$0.0
05/01/08	05/01/08	PAYMENT	\$3,459,74	\$742.01	\$2,717.73	\$0.00	\$0.00	\$0.0
06/02/08	06/01/08	PAYMEIIT	\$3,459.74	\$746.03	\$2,713,71	\$0.00	\$0.00	\$0.0
7/01/08	07/01/08	PAYMENT	\$3,459,74	\$750.07	\$2,709,67	\$0.00	\$0,00	\$0.0
08/01/08	08/01/08	PAYMENT	13,459,74	\$754.13	\$2,705.61	\$0,00	\$0,00	\$0.0
9/02/08	09/01/08	PAYMENT	\$3,469.74	\$758,22	\$2,701.52	\$0.00	\$0,00	\$0.0
0/01/08	10/01/08	PAYMENT	\$3,459.74	\$762.33	\$2,697.41	\$0.00	\$0,00	\$0.00
1/03/08	11/01/08	PAYMENT	\$3,459.74	\$766.46	\$2,693.28	\$0,00	\$0,00	\$0.00
2/01/08	12/01/08	PAYMENT	\$3,459.74	\$770.61	\$2,689,13	\$0.00	\$0.00	\$0.00
ENDING E	IALANCES			<b>\$</b> 495,684.76			\$0.00	

0 , . .

**EXHIBIT "6"** 



## 2008 Final Tax Roll (Subject to Change)

Latest Sales History

If all Values shown below equal 0 this parcel was created after the Final Tax Roll

Land Value	\$ 0.00	Date	Book - Page	Amount
(+) Improved Value	\$ 768,357.00	11 / 2002	3148 - 3065	\$ 0.00
(=) Just Value	\$ 768,357.00	11 / 2002	3148 - 3063	\$ 0.00
(-) SOH Exempt Value	\$ 0.00	11 / 2002	3148 - 3061	\$ 0.00
(=) Assessed Value	\$ 768,357.00	11 / 2002	3148 - 3059	\$ 720,000 00
(-) Homestead and other Exempt Value	\$ 0.00	12 / 1995	2126 - 233	\$ 0.00
(=) Taxable Value	\$ 768,357.00	10 / 1994	1993 - 214	\$ 0.00

SOH = "Save Our Homes" exempt value due to cap on assessment

increases.

Previous

Back to List

The Information is Updated Weekly.

# EXHIBIT "7"

1081

### Fifth Third Bank

Madisonville Operations Center Mail Drop 1MOCZN Cincinnati, OH 45253 Phone: (800) 572-3030

#### 2008 FORM 1098 MORTGAGE INTEREST STATEMENT

OMB No. 1645-0901

Reporting Year - 2008

Page Number Statement Date Account Number

DECEMBER 31, 200 000705288 12/01/0 01/01/0 508-54-400

Paid To Date Naxt Due Date Social Security Number Recipient's Federal ID Number

31-1197**9**2

040317

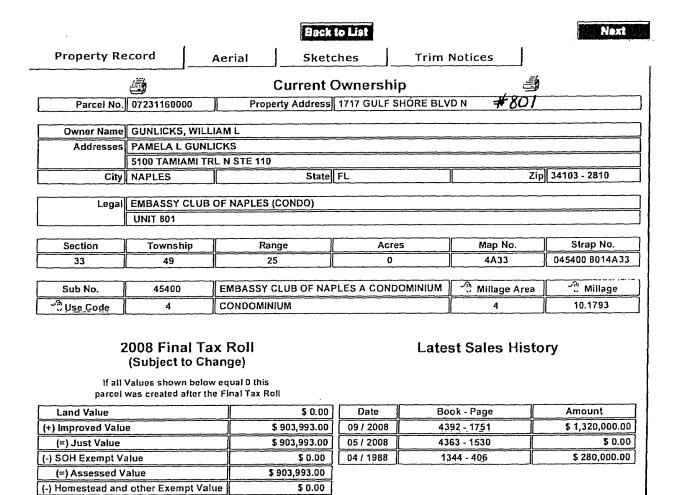
ladiahalaalihalllaarallaalalaadilaahllaarlahalahallaarl

WILLIAM L GUNLICKS PAMELA L GLALICKS 5100 N TAMIANI TRAIL #119 NAPLES, FL 34103-2180

The information on lines 1, 2 and 8 at the bottom of this form is important fax information and is being furnished to the internal Revenue Service. If you are required to file a return, a negligence penalty or other sanctions may be imposed on you if the I.R.S. determines that an underpayment of tax results because you overstated a deduction for this mortgage interest or for these points or because you did not report this refund of interest on your return. Caution: the amount shown may not be fully deductible by you. Limitations based on the cost, loan amount and value of the secured property may apply. In addition, you may only deduct interest to the extent it was incurred by you, actually paid by you, and not reimbursed by another person.

TR.	DUE DAT	ľE	POST		BACTION OUNT	INTEREST PAID		HCIFAL PAID	AFTS	HAL BALANCE IN TRANSACTION	ЕХСНОМ/ПНРОЦЬЮ РАКО	EXCHOW/MPOUND EXLANCE AFTER TRANS. DOMETRICTION MY, EATE	LATE CHARGE	DETIONAL MEDIANCE EDISTRICTION UNDIES, ACCY, MAL.	UNAPPLIED FUNDS
APP11 APMAPA APMAPA	01,/01,/ 02/01,/ 03/01,/ 03/01,/ 04/01,/ 05/01,/ 06/01,/ 07/01,/ 08/01,/ 09/01,/ 11/01,/ 11/01,/ 12/01,/	08 08 08 08 08 08 08 08 08	02/01 03/03 04/01 05/01 06/02 07/01 07/23 08/01 09/02 09/08 10/01	-	412049 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2 3949/2	305 305 304 304 303 503 FORCE PLAC 302 0THER ESC 302 2016 2136	TRAN	703BC 708 <b>J</b> 2	V	59279744 53211713 53143302 5307444 5300523 5286563 5286563 5286563 52724464 52724464 52724464 52724464 52724464 52724464 52724464 5272464 5272464 5272464	38 7(2) 21697 21697 21697 21697 21697 -232200 21697 -326839 19350 19350	499C3 520733 542467 564167 585824 607314 397019 418716 440412 1137453 135450 174136			
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· TRA	NEACTI	DN	CODES	ON B	ACK							SEE REVERS	E SIDE FOR	TAXPAYER IN	STRUCTIONS
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La Op Fed	al Esta te Cher tional ms Paid es Due	Ins	i Due iurano	- Not a Pai	Paid			.00 152-41 .00 .00 .00				Repoi Prepo Not / Inter Late Late Prepoi 2 Paid 3 Agrita	od of Over People Inecer	perid	.80 .80 .80 .88 .88 .88 .80

**EXHIBIT "8"** 



Back to List

\$ 903,993.00

(=) Taxable Value

increases.

SOH = "Save Our Homes" exempt value due to cap on assessment

Next

The Information is Updated Weekly.

EXHIBIT "9"

Statement Drife

/07/2009 15:54

8474468824

BILL GUNLICKS

PAGE 02

02/20/00

1,498.27



Your information is always treated confidentially.

MORTGAGE

Toll-Free: 800,634,7928 Internet: www.suntrustmortgage.com

136920 BT

#BWNDXCT #9427387976120029#

WILLIAM L GUNLICKS PAMELA L GUNLICKS 5100 TAMIAMI TRL N STE 110 NAPLES FL 34103-2810 Jollalaballlaralladibbadllbadlablad.

SEE'REVERSE SIDE FOR IMPORTANT INFORMATION. 

Property Address:

1717 GULF SHORE BLV N 801

NAPLES PL 234-514-3080 34102

Home Phone: Other Phone:

239-514-2900

MORIGAGE 

GIGIESTEDII MAKE	U2/2U/U#
Payment Due Date	03/01/09
Loan Number	0215797837
 item Description	Amount
Balances Principal Balance * Escrow Balance Payment Factor	787,022.62
Interest Rate Payment Information	8.12500%
Principal & Interest Escrow Payment	4,617.84 .00
Optional Products Other	.00
MORTGAGE PAYMENT Payment Past Due	4,617.84
Unpaid Late Charges	.00 .00 4,817,84
Year to Date	7.739.41
Interest	7,730.41

Principal Paid " This is Not A Payoff Amount

We have teamed up with First Book to provide children in need with brand new books. For more information visit www.firstbook.org.

Important Messages

You made a smart decision to participate in the SurePsylACH) Automated Payment program. Your mortgage payments will be automatically drafted monthly from your checking or savings account. This monthly statement is for informational purposes only but if you no longer wish to receive a paper statement go to suntrustmortgage.com, login to my account, register, and select the billing statement options. It's that easy.

We are always here to help and answer your questions. Call Dixon Blavins at (239) 598-0368, visit www.suntrustmortgage.com/dblevins or call us at 877,648.8753.

Transaction Summary

Doto	Description	Amount	Externat	Principal	Escrew/Impound	Mhdfees
02/02	PAYMENT	\$4,617.84	\$3,867.80	\$750.04		
1			; · • • • • • • • • • • • • • • • • • •			
<del></del>						

## Special Massing de

SunTrust Mortgage, "Highest in Customer Satisfaction with Primary Mortgage Sales"

\*SunTrust Mortgage received the highest numerical score in the proprietary J.D. Power and Associates 2008 Primary Mongage Origination Study 8th. Study based on 4,256 responses measuring 10 lenders and measures opinions of consumers who originated a new mortgage. Proprietary study results are based on experiences and perceptions of customers surveyed in June 2008, Your experience may vary. Visit www.idpower.com.

EXHIBIT "10"

05/07/2009 15:54

WS

2009r05-07 15:41 Suntrust Pelican Bay

8474468824

239-598-0524 >>

BILL GUNLICKS

8474468824 P 1/1



#### Line Of Gredit Information:

- Profile Information -Primary Name: WILLIAM L GUNLICKS Primary TIN: 508544090

Property Address: 5100 TAMIAMINTAL N STE 119 / NAPLES EL 34103-2190

Home Phone: 900 514-3080 Work Phone: 741 514-2800 Product Type: UNSECURED LINE OF CREDIT Expanded Term Accome 3; 901

Legel Status: Open Contract Class: 09/04/2008

Maturity Date: 09/05/2012 Collateral Description:

-- Page 1 Information --Credit Line: \$300,000.00

Current / Praydown Balance: \$276,825.18 Last Statement Balance: \$276,980.82 Available Credit: \$0.00 Previous High Balance: \$275,000.00 Over-Limit Amount: \$0.00

Payor: \$278,625.18 Statement Due Direct 55/05/2009 Statement Due Dries: 55/05/2009
P8st Due Date: 05/05/2009
Maturity Date: 05/05/2009
Currant Amount Of it un/00.02
Interest: \$1,025.13
Unpaid NSF From: 50.00
Last Stmt. Amount Other 28/05.02
Daily Approximation 10.02
Insurance: 50.00 insurance: \$0.00 Current Rate: 4,25% # Days Delinquent: 2 # Times 30 days: 00

# Times 80 days: C0 # Times 90 days: C0 Current Interest Paid: \$0.00 YTD Interest Paid: \$2,797.54 Lest Year's Interest Fraid: \$275.40

- Page 2 Inform 100 ≈ Credit Life Anon ≈ 10.00 A/H Amount, 36 12 Relationship 2 1 mg/r, 975012 Referring ID Cost Centar. 100
Number of Cost 100
Auto Dybit Acc 100
Number Cises 100
Nu Card Access Number,

Last Non-Money ry Tren Date: 05/07/2009

- Advences -Option 3- This is on than 81 months: 0% Option 3- Hate governor the right 60 months: 0%

05/07/1700"

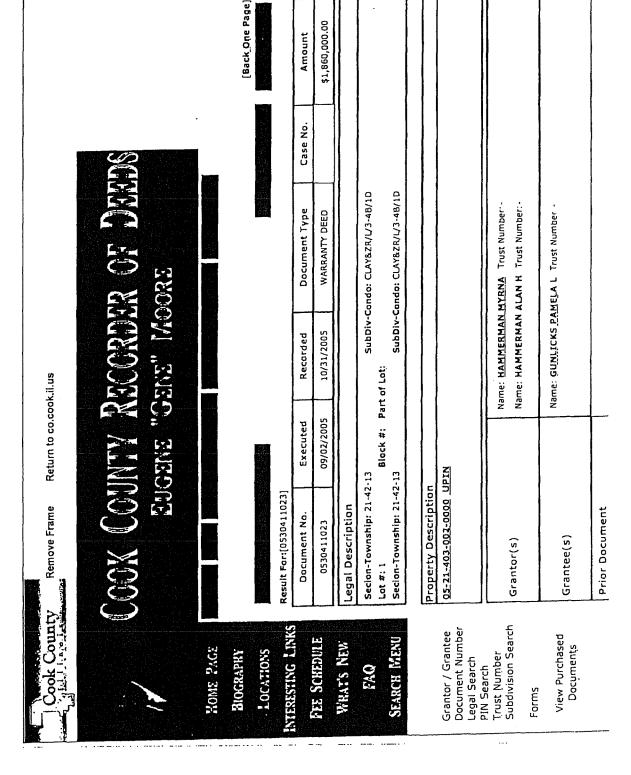
Printed by: Janice M. Sowers

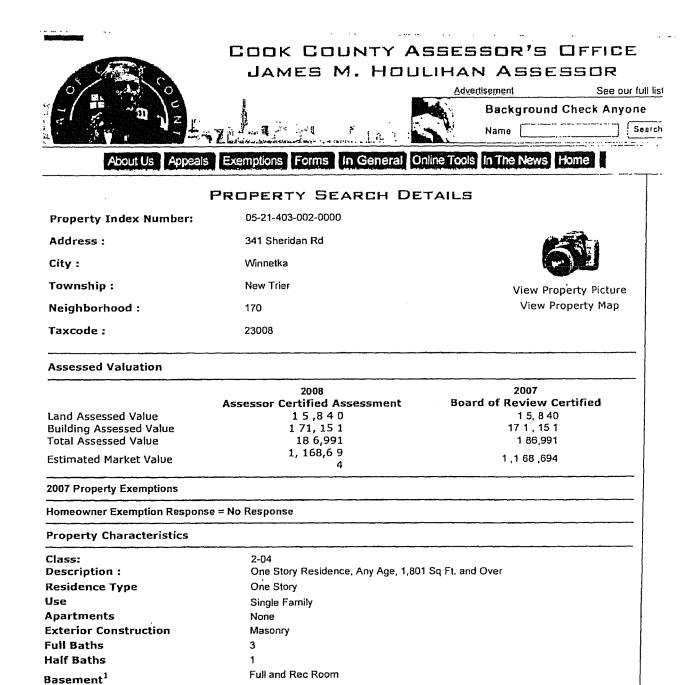
Page 1

## EXHIBIT "11"

Page 1 of 1

Page 34 of 42





Attic

**Central Air** 

**Number of Fireplaces** 

Land Square Footage

Garage Size/Type<sup>2</sup>
Building Square Footage:

**Assessment Pass** 

Full and Living Area

2 car attached

**Assessor Certified** 

Yes

1,811

6,000

1	Excluded	from	Building	Square	footage,	except	apartment	
---	----------	------	----------	--------	----------	--------	-----------	--

## 2008 Assessment Appeal Information

No Appeals found for current year

#### Other Information:

HIE - 7

Parcel Contains One or More Home Improvement Exemptions

Return to Search Results

New Search



Cook County Assessor's Office (Main) County Building, Third Floor

118 North Clark Street, Chicago, IL 60602 (312) 443-7550

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Comments, Questions or Suggestions . Contact Us

<sup>&</sup>lt;sup>2</sup> Excluded from Building Square footage

EXHIBIT "12"

Page 1 of 2

# NORTH SHORE COMMUNITY BANK & TRUST 7800 LINCOLN AVENUE SKOKIE, IL 60077

Statement Date

May 05, 2009

 Payment Due Date
 May 20, 2009

 Account Number
 03390007288

 Note Number
 00001

 New Statement Balance
 \$1,404,602.73

 Febs Absessed/Unpeid
 \$0.00

 Past Due Amount
 \$0.00

 Minimum Payment Due
 \$4,602.73

WILLIAM L GUNLICKS. PAMELA L GUNLICKS 341 SHERIDAN RD WINNETRA IL 60093-4227 504

Your checking account 02300009706 will be charged for this payment. Retain this statement for your records.

#### Interest Only Disclosure

\*\*PLEASE BE AWARE THAT MONTHLY PAYMENTS OF INTEREST ONLY WILL NOT REDUCE THE PRINCIPAL OWED ON YOUR LOAN.\*\*

Account Number: 03390007 118 00001

Statement Date: .....05/09 Meturity Date: 08/31/15 Payment Due Date: 05/20/09

Available	Fees Assessed	Current	Past Due	Minimum	
Credit	Unusid	Amount Due	Amount	Payment Due	
\$0.00	\$Q.D <b>O</b>	<b>\$4,602.73</b>	90.00		

Activity							
Eff Date	Post Date	Description	Advances/Debits Finance Charge	Payments/ Credits	Principal Balance		
04/06 04/20				\$4,756.16	\$1,400,000.00 \$1,400,000.00		

\$4,756.16

WILLIAM L GUNLICKS PAMELA L GUNLICKS 341 SHERIDAN RD WINNETKA IL 60093-4227 Check here for change of address or phone number and indicate changes.

Signature required for all changes

Account Number 03390007288
Payment Due Date Mey 20, 2009
Amount Due \$4,602.73
Additional Prin, Int, Estate v. Firest

Amount Enclosed

Interest Portion:

504 Please ren

Please remit and make check payable to:

NORTH SHORE COMMUNITY BANK & TRUST 7800 LINCOLN AVENUE SKOKIE, IL 60077

## EXHIBIT "13"

North Shore Community Bank & Trust 362 Park Ave. Glencoe, IL 60022

YWINNEYKA, IL

Page 1 of 5

4 90 6

PAMELA L GUNLICKS WILLIAM L GUNLICKS 341 SHERIDAN RD WINNETKA IL 60093-4227 Primary Account Number 2300009706

Statement Dates

Prior 03/20/09 Current 04/20/09

**Customer Service** 

(847) 835-1700

24

FINANCIAL SUMMARY

Account Description
PLATINUM PREFERRED
TOTAL DEPOSITS

Account Number 2300009706 Ending Balance \$ 125,387.28 \$ 125,387.28

WE'RE MAKING MANAGING YOUR ACCOUNT EVEN EASIER WITH 24/7 ACCOUNT ACCESS. VISIT WWW.NSCBANK.COM TO ENROLL IN ONLINE BANKING. JUST THINK ABOUT HOW CONVENIENT IT WILL BE TO MAKE TRANSFERS AND CHECK BALANCES ONLINE.

PLATI	NUM PREFERRED				
Account Number Average Balance Low Balance Interest Paid Year to Date Withholding Year to Date Interest Paid Prior Year		2300009706 \$ 65,936.34 \$ 38,461.79 \$ 46.83 \$ 0.00 \$ 172.93	Beginning Balance Deposits/Credits Interest Paid Checks/Debits Service Charges Ending Balance Enclosures		\$ 61,775.23 \$ 100,808.33 \$ 2.52 \$-37,198.80 \$ 0.00 \$ 125,387.28 24
		Daily Transac	tion Activity		
Date	Description		Additions	Subtractions	Balance 61,775.23
03-20 03 <b>-2</b> 5	BEGINNING BALANCE #DEPOSIT		1,384.20		63,159.43
03-25	#ELECTRONIFIED CHECK		2,301120	6,000.00	57,159.43
03-26	#ELECTRONIFIED CHECK			209.58	56,949.85
03-26	CHECK 7318			514,45	56,435.40
03-26	CHECK 7320			143.94	56,291.46
03-26	#ELECTRONIFIED CHECK			88.16	56,203.30
03-26	#ATM WITHDRAWAL			400.00	55,803.30
03-26	#ATM WITHDRAWAL			300.00	55,503.30
03-27	#ELECTRONIFIED CHECK			142.97	55,360.33
03-27	CHECK 7314			231.00	55,129.33
03-27	CHECK 7322			2,581.00	52,548.33
03-30	CHECK 7315			108.92	52,439.41
03-30	CHECK 7317			106.04	52,333,37
03-30	CHECK 7319			629.00	51,704.37

## North Shore Community Bank & Trust

## Daily Transaction Activity (cont.)

Date 03-31	Description #ATM DEBIT	Additions	Subtractions 200.00	<b>Balance</b> 51,504.37
04-01	# PREAUTHORIZED DEBIT		2,881.47	48,622.90
04-02	CHECK 7309		200.00	48,422.90
04-06	#ATM WITHDRAWAL		403.00	48,019.90
04-06	#ATM WITHDRAWAL		403.00	47,616.90
04-07	CHECK 7325		215.97	47,400.93
04-07	CHECK 7401		185.50	47,215.43
04-08	#ELECTRONIFIED CHECK		66.06	47,149.37
04-08	CHECK 7332		124.00	47,025.37
04-09	CHECK 7328		117.00	46,908.37
04-10	CHECK 7329		54.77	46,853.60
04-10	CHECK 7331		5,000.00	41,853.60
04-13	CHECK 7221		125.00	41,728.60
04-13	CHECK 7222		100.00	41,628.60
04-13	CHECK 7327		40.81	41,587.79
04-13	CHECK 7336		2,471.00	39,116.79
04-14	CHECK 7338		655.00	38,461.79
04-15	CHECK 7333		100.00	38,361.79
04-15	CHECK 7335		25.00	38,336.79
04-15	CHECK 7402		120.00	38,216.79
04-15	#DEPOSIT	99,424.13		137,640.92
04-15	#ATM WITHDRAWAL	•	400.00	137,240.92
04-16	CHECK 7334		100.00	137,140-92
04-16	CHECK 7337		7,000.00	130,140.92
04-20	#NOTE PAYMENT		4,756.16	125,384.76
04-20	#INTEREST	2.52		125,387.28
04-20	ENDING TOTALS	100,810.85	37,198.80	125,387.28

## **Detailed Electronic Transaction Information**

<b>Date</b> 03~26	Description CITICARD PAYMENT CHECK PYMT	Additions	Subtractions 6,000.00
	090326 7312		
03-26	XCEL ENERGY XCELENERGY		209.58
	090326 7316		
03-26	AT&T Services CHECKPAYMT		88.16
	090325 7321		
03-26	CASH WITHDRAWAL TERMINAL T38009		400.00
	576 LINCOLN WINNETKA IL		
03-26	03-25-09 6:46 PM SEQ # 316B		
03-26	CASH WITHDRAWAL TERMINAL T38009		300.00
	576 LINCOLN WINNETKA IL		
03-26	03-25-09 1:36 PM SEQ # 3161		
03-27	VZ WIRELESS ARC ARC		142.97
	090327 7313		
03-31	CASH WITHDRAWAL TERMINAL CRO02280		200.00
	141 9TH ST. NORTH NAPLES FL		
03-31	03-31-09 12:26 PM SEQ # 000000732434		
04-01	M&I M&I BANK LOAN PYMT		2,881.47
	090401		
04-06	CASH WITHDRAWAL TERMINAL F2330		403.00

## North Shore Community Bank & Trust

Statement of Account 2300009706 Page 3 of 5 Statement End Date 04/20/09

## Detailed Electronic Transaction Information (cont.)

Date	Description GULFSHORE NAPLES FL	Additions	Subtractions
04-06 04-06	04-05-09 11:12 AM SEQ # 214454 CASH WITHDRAWAL TERMINAL F2330 GULFSHORE NAPLES FL		403.00
04-06 04-08	04-06-09 7:59 AM SEQ # 439751 DirecTV - Louisv CHECK PYMT 090408 7330		66.06
04-15	CASH WITHDRAWAL TERMINAL T38004 633 VERNON AVENUE GLENCO IL		400.00
04-15 04-20	04-15-09 9:58 AM SEQ # 8532 AUTOMATIC LOAN PAY		4,756.16

## Check Register

Number 7221	Date 04-13	Amount 125.00	Number 7320	<b>Date</b> 03-26	Amount 143.94	Number 7333	<b>Date</b> 04-15	<b>Amount</b> 100.00
7222	04-13	100.00	*7322	03-27	2,581.00	7334	04-16	100.00
*7309	04-02	200.00	<b>*7325</b>	04-07	215.97	7335	04-15	25.00
*7314	03-27	231.00	*7327	04-13	40.81	7336	04-13	2,471.00
7315	03-30	108.92	7328	04-09	117.00	7337	04-16	7,000.00
<b>*7317</b>	03-30	105.04	7329	04-10	54.77	7338	04-14	655.00
7318	03-26	514.45	*7331	04-10	5,000.00	*7401	04-07	185.50
7319	03-30	629.00	7332	04-08	124.00	7402	04-15	120.00

<sup>\*</sup> Denotes a skip in check sequence

## Interest Rate History

Date 03-20	Rate Dat .050%	t <b>a</b>	Rate	Date	Rate
Annual Percentage Yield Ear Interest-Bearing Days Average Balance for APY Interest Earned		0.05% 31 0,368.09 2.52			
Returned Item Fees for this Overdraft Fees for this State		\$ 0.00 \$ 0.00	Returned Item Fee Overdraft Fees for	s for this Calendar Year this Calendar Year	\$ 0.00

R - Denotes a returned check

# **EXHIBIT "B"**

## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

CASE NO. 2:09-cv-229-FTM-29 SPC

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

Vs.

FOUNDING PARTNERS CAPITAL MANGEMENT, CO., and WILLIAM L. GUNLICKS,

Defendants,

SUN CAPITAL, INC., SUN CAPITAL HEALTHCARE, INC., FOUNDING PARTNERS STABLE-VALUE FUND, LP, FOUNDING PARTNERS STABLE-VALUE FUND II, LP, FOUNDING PARTNERS GLOBAL FUND, LTD, and FOUNDING PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

## **DECLARATION OF WILLIAM GUNLICKS**

- I, William L. Gunlicks, hereby declare as follows:
- I am over the age of eighteen (18) and am otherwise sui juris. 1.
- Unless otherwise stated, I have personal knowledge of the information 2. provided herein.
- 3. On April 20, 2009, the Securities and Exchange Commission ("SEC") sought and was granted an Ex Parte Emergency Motion for Asset Freeze ("Asset Freeze") over all of my personal assets. The SEC also received an Asset Freeze over all

- My only source of income was through my work for FP. Currently, I have 4. no sources of income or support.
- At the time the court granted the Asset Freeze, I was in FP's Chicago, 5. Illinois office. Two attorneys from a law firm appointed by the Receiver evicted me from my office at FP and instructed me not to return. In fact, I am not permitted to return to any of my offices, access my emails, or even my computer. My office at FP in Naples, Florida houses many of my personal business records.
- As a result of the Asset Freeze, my wife and I are stranded in Winnetka, 6. Illinois..
- 7. My wife, Pamela Gunlicks, is a homemaker and has no sources of income other than my support. See Declaration of Pamela Gunlicks attached hereto as Exhibit 1.
- 8. I was surprised by the SEC's actions and therefore, I did not have time to accumulate documents or remove personal files from my offices such as bank account statements, tax information, or any other kind of billing invoices or statements. It is difficult for me to provide documentation of my living expenses because I do not have access to the offices where this information is located. Additionally, banks where I maintain accounts are refusing to speak to me as a result of the Court's order. Regardless, I have tried to accumulate as much information as possible to provide documentation of my necessary living expenses and expenses necessary to preserve assets.

## **Asset Preservation Expenses**

9. My wife and I purchased real property located at 12355 Collier Blvd., Unit C, Naples, Florida in 1989 for \$80,000. See Collier County Property Appraisal Detail attached hereto as Exhibit 2. The property's assessed taxable value is currently \$133,000.00. See id. The following are the monthly expenses associated with maintaining this property:

(a) Mortgage: \$891

(b) Association Fees: \$820

(c) Electricity and Telephone: \$186

(d) Total Amount Due a Month: \$1897.00

A copy of the mortgage statement is attached hereto as Exhibit 3. Documentation regarding the association fees and utilities are located in the Naples office of FP and currently only accessible to the Receiver and the SEC.

10. My wife and I purchased real property located at 6465 GI Way Din Trail, Presque Isle, Wisconsin in 1992 for \$377,500. The property's assessed taxable value is currently \$1,001,500. See Vilas County Tax Data attached hereto as Exhibit 4. The following are the monthly expenses associated with maintaining this property:

(a) Mortgage: \$3459.74

(b) Gas; Electricity; and Telephone: \$836.70

(c) Total Amount Due a Month: \$4296.44

A copy of the mortgage statement is attached hereto as Exhibit 5. The gas, electricity, and telephone statements are attached hereto as Exhibit 6.

11. My wife and I purchased real property located at 1717 Gulf Shore Blvd., Unit 503, Naples, Florida in 2002 for \$720,000. See Collier County Property Appraiser Detail attached hereto as Exhibit 7. The property's assessed taxable value is currently \$768,357.00. See id. The following are the monthly expenses associated with maintaining this property.

(a) Mortgage: \$3294.00

(b) Utilities: \$154.73

(c) Association Fees: \$783.33

(d) Total Amount Due a Month \$4,232.06

A copy of the mortgage statement is attached hereto as Exhibit 8. A copy of a Suntrust Statement showing a payment to FPL is attached hereto as Exhibit 9. A bill from The Embassy Club of Naples for association fees is attached hereto as Exhibit 10.

12. My wife and I purchased real property located at 1717 Gulf Shore Blvd., Unit 801, Naples, Florida in 2008 for \$1,320,000.00. See Collier County Property Appraisal Detail attached hereto as Exhibit 11. The property's assessed taxable value is currently \$903,993.00. See id. The following are the monthly expenses associated with maintaining this property.

(e) Mortgage: \$4617.84

(f) Association Fees: \$783.33

(g) Utilities: \$32.22

(h) Total Amount Due a Month \$5433.39

Filed 05/19/2009

A copy of the mortgage statement is attached hereto as Exhibit 12. See also Exhibits 9 and 10.

13. My wife and I purchased real property located at 341 Sheridan Road, Winnetka, Illinois in 2008 for \$1,860,000. See Cook County Assessor's Office Detail attached hereto as Exhibit 13. The property's estimated market value is \$1,168,609.00. The following are the monthly expenses associated with maintaining this property.

> Mortgage: \$4756.16 (i)

(j) Utilities: \$602.95

(k) Gas: \$475.35

(l) Total Amount Due a Month \$5834.46

A copy of the mortgage statement is attached hereto as Exhibit 14. Utility and gas statements are attached hereto as Exhibit 15.

14. Total amount of monthly funds necessary to preserve these assets is \$21,693.35.

## **Living Expenses**

- My wife and I must pay auto insurance premiums in the amount of \$49 a 15. month.
- My wife and I must pay Medicare Part B premiums in the amount of \$404 16. a month.

Page 7 of 51

- 17. My wife and I must pay United Healthcare health plan monthly premium in the amount of \$600. The documentation related to this obligation is located at FP's Naples office and currently, only the Receiver and SEC have access to this information.
- 18. I have a life insurance policy with John Hancock Company. The monthly premium on this policy is \$1,290.00. The invoice for this policy is located at FP's Naples office and currently only the Receiver and SEC have access to this information.
- 19. Monthly food, gas and transportation costs for my wife and I are approximately \$600 a month. Additionally, I will need to purchase plane tickets for my wife and I to return to Naples, Florida. This will be a one time expense and approximately amount to \$800 to \$1000.
- 20. Total amount of monthly funds necessary for living expenses approximately \$2943, this does not include the one time expense referred to in paragraph seventeen (17) above.

### Attorney's Fees

- 21. In order to defend myself against the SEC, I have retained the services of the law firm of Carlton Fields, P.A. I signed a retainer agreement and agreed to provide an initial retainer of \$75,000 for services, with monthly statements following the exhaustion of this initial retainer. *See* Retainer Agreement attached hereto as Exhibit 16.
- 22. I do not have the funds to pay for this initial retainer amount absent some modification of the Court's Asset Freeze.

Page 8 of 51

## Conclusion

- 23. Aside from my employment by FP, I have no other source of income.
- 24. I need the above noted funds to preserve assets, live, and retain counsel to defend against the SEC's allegations, as well as those anticipated from the Receiver, and possibly other relief defendants.
- 25. I also need access to my offices, which contain the documents I need to provide my counsel in order to defend myself against the SEC's allegations.
  - 26. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May **7**, 2009.

WILLIAM GUNLICKS

## **EXHIBIT "1"**

## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

CASE NO. 2:09-cv-229-FTM-29 SPC

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

Vs.

FOUNDING PARTNERS CAPITAL MANGEMENT, CO., and WILLIAM L. GUNLICKS,

Defendants,

SUN CAPITAL, INC., SUN CAPITAL HEALTHCARE, INC., FOUNDING PARTNERS STABLE-VALUE FUND, LP, FOUNDING PARTNERS STABLE-VALUE FUND II, LP, FOUNDING PARTNERS GLOBAL FUND, LTD, and FOUNDING PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

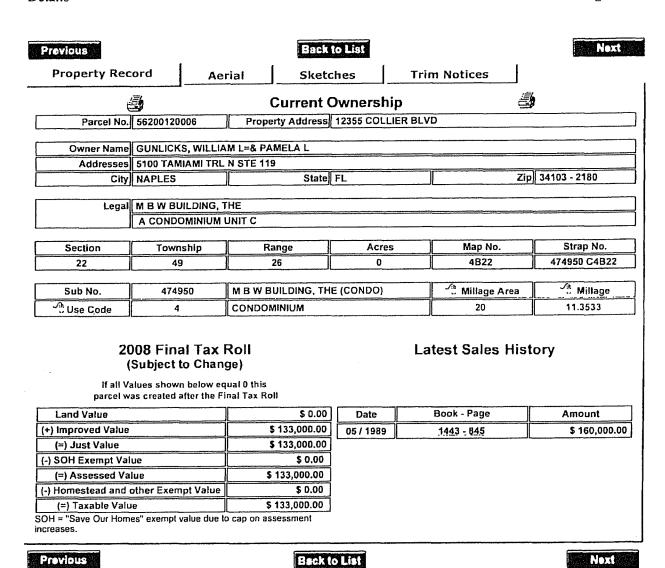
## **DECLARATION OF PAMELA GUNLICKS**

- I, Pamela Gunlicks, hereby declare as follows:
- I am over the age of eighteen (18) and am otherwise sui juris. 1.
- Unless otherwise stated, I have personal knowledge of the information 2. provided herein.
  - William Gunlicks is my husband and he financially provides for me. 3.
  - I am unemployed and have no other source of income. 4.

I declare under penalty of perjury that the foregoing is true and correct. 5.

Executed on April 30, 2009.

## **EXHIBIT "2"**



The Information is Updated Weekly.

## EXHIBIT "3"



MAPLES - PINE MIDGE ROAD P O BOX 1984 BIRMINGHAM AL 35201

Page 1 0[1



la Robita de la contra della contra de la contra de la contra de la contra della co 0000090201MB 0.369001 WILLIAM L GUNLICKS 5100 TAMIAMI TRL N APT 119 NAPLES FL 34103-2180

Scheduled Payment Amount:

Past Due Amount: \*Principal Due:

Per Diem: Bank Number: 092 \* Debt Protection Due:
Account Number: 733 00007000003060 Late Fee Due:
Interest Rate: 6.000% Other Fees Due: B.174100 \*Interest Due:

Total Amount Due: Payment Due Date: 03/18/09

\$662.58 \$228.86 \$0.00 \$0.00

\$891.44 \$0.00

3

int paid last year:

\$3,315.29

## LOAN STATEMENT

Fabruary 3, 2009 through March 3, 2009

	DETAIL	
Trans Date	Trans Description	Trans Amount
02/03/09 02/18/09 02/18/09 02/18/09	Balance Forward ACH Payment - Thank You Pmt Detall - Int Pmt Detail - Prin	49.679.62 891.44 256.68 634.76
03/03/09	Ending Principal Balance	49.044.86

If you have any questions about your account, please contact us at 1-877-430-4562.

#### Inaccurate Credit Information

Notify us at the following address if you believe any information we have reported or may report to a credit bureau about your loan is inaccurate: Credit Information Department, Regions Bank, P.O. Box 11007, Birmingham, AL 35288.

\* NOTE: Principal due, Interest due, and debt protection due amounts shown above are an estimate only. Actual principal, interest, and debt protection amounts paid may vary depending on the actual date that the payment is received. The actual amounts applied to principal, interest, and debt protection will be reflected on your next statement.

REGIONS WILLIAM L GUNLICKS 5100 TAMIAMI TRL N APT 119

NAPLES FL 34103

LOAN DRAFT NOTICE

D920000000000306070008914490007330

Account Number:

092/733/00007000003060

Total Amount Due:

\$891.44

Payment Due Date:

03/18/09

Do Not Mail - Automatic Draft

## **EXHIBIT "4"**

## **VILAS COUNTY TAX DATA**

## **TAX DATA**

TWN OF PRESQUE ISLE

<u>COMPUTER NUMBER</u>
22-1012-01

PHYSICAL LOCATION 6465 GI-WAY-DIN TRL

SECTION / TOWN / RANGE 32 / 43 / 6

DOCUMENT NUMBERS 621/553

BRIEF LEGAL DESDRIPTION
PRT NE SE PCL 1 ASSMT INC
CN 1012-02

TAX DATA							
	2008	2007	2006	2005			
TOTAL ACREAGE	1.43						
LAND ASSESSED VALUE	\$325,100	\$325,100	\$325,100	\$325,100			
IMPROVED ASSESSED VALUE	\$676,400	\$676,400	\$400,000	\$224,900			
FAIR MARKET VALUE	\$1,593,781	\$1,552,853	\$1,036,669	\$696,264			
MILL RATE	11.095007	11.091850	11.293176	10.575987			
TAX RATIO	.628380	.644942	.699452	.789930			
TOTAL	\$11,098.24	\$11,108.48	\$8,188.68	\$5,816.79			
FIRST DOLLAR CREDIT	\$13.41	\$0.00	\$0.00	\$0.00			
SPECIAL CHARGES	\$0.00	\$0.00	\$0.00	\$0.00			
LOTTERY TAX CREDIT	\$0.00	\$0.00	\$0.00	\$0.00			

GENERAL TAX D	DUE \$11,098.		24	24   \$11,108.48		\$8,188.68	\$5,816.79	
		2008		2007		2006	2005	
FIRST INSTALLMENT	\$5,549.1		12	\$5,554.24		\$4,094.34	\$2,908.40	
SECOND INSTALLMENT	\$5,549.1		\$5,554.24		4	\$4,094.34	\$2,908.39	
		2008		2007		2006	2005	
PAID TO DATE	\$1	1,098.24 \$		\$11,108.48		88,188.68	\$5,816.79	
CURRENT DUE		\$0.00		\$0.00		\$0.00	\$0.00	
INTEREST		\$0.00		\$0.00		\$0.00	\$0.00	
TOTAL PAYOFF		\$0.00		\$0.00		\$0.00	\$0.00	

Return to Main Property Selection Page

#### Tax Year

The year the tax bill was issued.

## **Gross General Tax**

The total amount originally due on the tax bill.

## Paid to Date

The total amount of taxes, special charges, special assessments and delinquent charges paid to date. This does not include any interest/penalty.

### **Current Due**

The total amount of taxes, special charges, special assessments and delinquent that are currently due.

### Interest

The amount of interest due on Current Due. This amount is computer for payments postmarked no later than 8/31/2009.

### Penalty

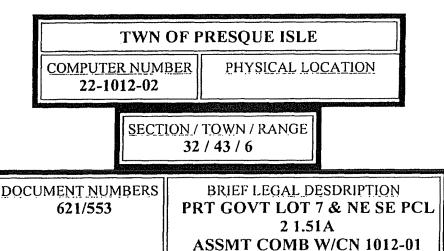
The amount of penalty due on Current Duc. This amount is computed for payments postmarked no later than 8/31/2009.

## **Total Payoff**

The total amount due, including any interest and penalty. This amount is computed for

## VILAS COUNTY TAX DATA

## TAX DATA



TAX DATA								
	2008	2007	2006	2005				
			<u> </u>					
TOTAL ACREAGE	1.51		Dar dar may 1100					
LAND ASSESSED VALUE	\$0	\$0	\$0	\$0				
IMPROVED ASSESSED VALUE	\$0	\$0	\$0	\$0				
FAIR MARKET VALUE	\$0	\$0	\$0	\$0				
MILL RATE	11.095007	11.091850	11.293176	10.575987				
TAX RATIO	.628380	.644942	.699452	.789930				
TOTAL	\$0.00	\$0.00	\$0.00	\$0.00				
FIRST DOLLAR CREDIT	\$0.00	\$0.00	\$0.00	\$0.00				
SPECIAL CHARGES	\$0.00	\$0.00	\$0.00	\$0.00				
LOTTERY TAX	\$0.00	\$0.00	\$0.00	\$0.00				

CREDIT								
GENERAL TAX DUE		\$0.00		\$0.00		\$0.00	\$0.00	
	20		08 2007			2006	2005	
FIRST INSTALLM	ENT <b>\$0.0</b>		0	\$0.00		\$0.00	\$0.00	
SECOND INSTALLMENT		\$0.00		\$0.00		\$0.00	\$0.00	
		2008		2007		2006	2005	
		2008	2007		<u></u>	2006	2005	
PAID TO DATE	\$	0.00	\$0.00			\$0.00	\$0.00	
CURRENT DUE	\$	0.00	\$0.00			\$0.00	\$0.00	
INTEREST	\$	0.00	\$0.00			\$0.00	\$0.00	
TOTAL PAYOFF	\$	0.00	\$0.00		\$0.00		\$0.00	

Return to Main Property Selection Page

#### Tax Year

The year the tax bill was issued.

## **Gross General Tax**

The total amount originally due on the tax bill.

## Paid to Date

The total amount of taxes, special charges, special assessments and delinquent charges paid to date. This does not include any interest/penalty.

## **Current Due**

The total amount of taxes, special charges, special assessments and delinquent that are currently due.

### Interest

The amount of interest due on Current Due. This amount is computer for payments postmarked no later than 8/31/2009.

## Penalty

The amount of penalty due on Current Due. This amount is computed for payments postmarked no later than 8/31/2009.

## **Total Payoff**

## EXHIBIT "5"

Document 72-3 Filed 05/19/2009

M&I MARSHALL AND ILSLEY BANK M&I DIRECT 1-800-236-1221 P O BOX 3203 MILWAUKEE WI 53201-3203

Page 1 of 2 Loan Year-To-Date Activity

098100034583- 2 000

WILLIAM L GUNLICKS PAMELA L GUNLICKS 630 WILLOW RD WINNETKA IL 60093-4136

Account	00008420861
Note	41015
Interest Rate	4,500000
YTD Inforest	\$33,063.62
Total Payment Amount	\$3,459.74

Posting Date	Effective	Transaction Description		Total	Pilnolpai	Interest	Late Free/ Other	Estrow	ineurance :
END OF P	REVIOUS	YEAR BALANCES			\$504,537.20			<b>\$</b> 0.00	
01/02/08	01/01/08	PAYMENT		\$3,858.92	\$600.45	\$3,268.47	\$0.00	\$0.00	\$0.00
02/01/08	02/01/08	PAYMENT		\$3,459,74	\$730.08	\$2,729.66	\$0.00	\$D.00	\$0.00
03/03/08	03/01/08	PAYMENT		\$3,459.74	\$734.04	\$2,725.70	\$0.00	\$0.00	\$0.00
04/01/08	04/01/08	PAYMENT		\$3,459,74	\$738.01	\$2,721,73	\$0.00	\$0.00	\$0,00
05/01/08	05/01/08	PAYMENT		\$3,459,74	\$742.01	\$2,717.73	\$0.00	\$0.00	\$0,00
06/02/08	06/01/08	PAYMENT		\$3,459,74	\$748.03	\$2,713.71	\$0.00	\$0.00	\$0.01
07/01/08	07/01/08	PAYMENT		\$3,459.74	\$750.07	\$2,709,67	\$0.00	\$0.00	\$0.00
08/01/08	08/01/08	PAYMENT		\$3,459.74	\$754.13	\$2,705,61	\$0.00	\$0.00	\$0.00
09/02/08	09/01/08	PAYMENT		\$3,459,74	\$758.22	\$2,701.52	\$0.00	\$0.00	\$0,00
10/01/08	10/01/08	PAYMENT		\$3,459,74	\$762,33	\$2,697.41	\$0,00	\$0.00	\$0,08
1/03/08	11/01/08	PAYMENT		\$3,459,74	\$768.46	\$2,693.28	\$0.00	\$0,00	\$0.00
12/01/08	12/01/08	PAYMENT	V	\$3,459.74	\$770,61	\$2,689.13	\$0.00	\$0.00	\$0.00
ENDING B	ALANCES				\$495,684.76			\$0.00	

## **EXHIBIT "6"**

WILLIAM L GUNLICKS

Customar Name Se

Service Address 6465 GI WAY DIN TRL PRESQUE ISLE, WI 54657 Due Date Account No. 03/02/2099 52-4882835-1

Premise Number 302149780

Car	eant Bharges		
Electric Charges Usage Period: 01/02/09 to 02/02/09 Invoice # 259252384 Residential Service 31 Days Customer Charge Energy Charge Winter 2715 kWh @ \$0.094757 Subtotal WI Low Income Assist @3.00% Total Amount	\$8.00 \$757.27 \$265.27 \$2.97 \$268.24	Meter Reading Information Meter #000019404516 Total Energy-kWh Company Reading on 02/02 Company Reading on 01/02 Total Usage in 31 Days 1828 Heating Degree Days	83592 80877 <b>2715</b>

Averages for Billing Period		This Year	Last Y <del>par</del>
Average Temperature		8*	
Electric/kwh per Day		87.6	B2.0
Cost per Day		\$8,65	\$8.68
	* 8 Dagrees Colder	Λ.	

Your bill has a credit balance. Do not pay this amount. Please contact our office if you would like a refund. See phone numbers above.

Thank you for your payment.

Are you moving to another location within the next 30 days? Please notify Xcel Energy up to 30 days in advance of your move to help ensure that you receive accurate billing statements at the correct address.

Log on to www.xcelenergy.com/xeenergysmart/ between December 1, 2008, and March 31, 2009, and tell us what you've done to make your home more energy efficient. Receive a FREE DVD full of easy, low- and no-cost ways to lower your energy costs, and enter the drawing for a pair of sports tickets!

WILLIAM L GUNLICKS 6485 GI WAY DIN TRL PRESQUE ISLE, WI 54957

03/04/09	302149780	\$268.24
Next Scheduled Meter Reading Date	Promiss Number	Promise Total

See back of bill for more information.

Page 2 of 2

Account #: 52-4882835-1

Statement Date: 02/09/09



P.O. Box 4300

Carol Stream, IL 60197-4300

Account Name: WILLIAM L & PAMELA GUNLICKS

Account Number: 301522773

Bug Lake WI

of 8 Page: 1 Bill Date: Apr. 13, 2009

		•			
Balance Forward	Cint	ent Charges	,	Amount Due	. Due Date
0.00		120.16		120.16	May 11, 2009
Account Summary					
Previous Balance  Less Payment Receive	ved Apr. 06, 2009	- Thank You		40,81 CR	40 . 81 CR
Total Amount Applied  Balance Forward					0.00
Current Charge Sur	nmary		Detail Page		
Packages					62.83
Wireline Services CenturyTel Long Distance Serv					39,48
Total Current Charge:	\$				120.16
* Essential Charges		102,38			
Non-Essential Charges		17 .80			
Amount Due	(The Due Date On Th	is Bill Applies To Current	Charges Only	)	( 120.16 )
' Fa	ljure To Pay Essent	ial Charges May Resu	It In Disconn	ection of Basic Local S	ervices

\*\*PLEASE FOLD, TEAR HERE AND RETURN THIS PORTION WITH YOUR PAYMENT\*\*\*

PLEASE REMIT PAYMENT TO:

CenturyTel

Account No.

301522773

P.O. Box 4300 Carol Stream, IL 60197-4300

Amount Due By May 11, 2009

120.16

AT 01 059554 95470H207 A\*\*3DGT WILLIAM L & PAMELA GUNLICKS 341 SHERIDAN RD WINNETKA, IL 60093-4227

FOR CHANGE OF ADDRESS OR PAYMENT AUTHORIZATION: Please check here and complete reverse. Thank you.

0.004.47 0 0.0004.0022

1282-2019 0.00-4002

0,00/YDIS

1027.86

0.00,4002

1159.97[] 0.00**4**002

2004002 Elzroze

1304.96[] 11.004.002

EXHIBIT "7"



### 2008 Final Tax Roll (Subject to Change)

### Latest Sales History

**Amount** 

\$ 0.00 \$ 0.00 \$ 0.00 \$ 720,000 00 \$ 0.00 \$ 0.00

If all Values shown below equal 0 this parcel was created after the Final Tax Roll

Land Value	\$ 0.00	Date	Book - Page	
(+) Improved Value	\$ 768,357.00	11 / 2002	3148 - 3065	
(=) Just Value	\$ 768,357.00	11 / 2002	3148 - 3063	
(-) SOH Exempt Value	\$ 0.00	11 / 2002	3148 - 3061	
(=) Assessed Value	\$ 768,357.00	11 / 2002	3148 - 3059	
(-) Homestead and other Exempt Value	\$ 0.00	12 / 1995	2126 - 233	
(=) Taxable Value	\$ 768,357.00	10 / 1994	1993 - 214	

SOH = "Save Our Homes" exempt value due to cap on assessment increases.

Previous

Back to List

The Information is Updated Weekly.

# **EXHIBIT "8"**



2008 FORM 1098 MORTGAGE INTEREST STATEMENT

OMB No. 1545-0901

Reporting Year - 2008

Page Number Statement Date Account Number

DECEMBER 31, 200 000705268

Paid To Date Next Due Date Social Security Number Recipient's Federal 10 Number

12/01/0 01/01/0 508-54-409 31-119792

1 00 /

040317

ladiahalpedilimenthenlaladilehilandelehilehiland

WILLIAM L GLALICKS PAMELA L GLALICKS 5100 N TAMIANI TRAIL #119 NAPLES, FL 34103-2180

The information on lines 1, 2 and 3 at the bottom of this form is important tax information and is being furnished to the internal Revenue Service. If you are required to file a return, a negligence penalty or other sanctions may be imposed on you if the LRS, determines that an underpayment of tax results because you overstated a deduction for this mortgage interest or for these points or because you did not report this refund of interest on your return. Coution: the amount shown may not be fully deductible by you. Limitations based on the cost, loan amount and value of the secured property may apply. In addition, you may only deduct interest to the extent it was incurred by you, actually paid by you, and not reimbursed by another person.

TR. DUE DATE	POST DATE	TRANSACTION AMOUNT	INTEREST PAID	PRINCIPAL PAID	MINICIPAL BALANCE APPEN TRANSACTION	ESICHOW/HAPQUING PAID	ESCROW/AMPOURD EALANCE AFTER TRANS. CONSTRUCTION BYT, EATE	LATE CHARGE	OFTIONAL ABUNANCE CONSTRUCTION UNQUER, ACCT, BAL.	FUNDS
AP   05/01/08 AP   06/01/08 AP   07/01/08 E11   07/01/08 AP   08/01/08 AP   09/01/08	02/01 03/03 04/01 05/01 06/02 07/01 07/23 08/01 09/02 09/08	41.20 83 39.49 72 39.48 72 39.48 72 39.49 72 39.49 72 - 2322 83 39.49 72 - 3268 72 32.24 33 32.24 33	30582 305245 30484 30487 30407 303677 FORCE PLACE 302873 0THER ESC 30207 301621 213815	FLOOD TRANS 712 36 984 57	52279744 53211718 53143364 53074494 5300529 5293565 5286565 5286565 52784494 52724444 52724494 525816369 525816369 525816369	387/4 2168/7 2168/7 2168/7 2169/7 2169/7 2169/7 2169/7 2169/7 1938/8	49908 520730 542430 584127 585624 807521 807521 418715 440412 113753 135450 174150	· - ***********************************		
		/· 🏻	<b>.</b> *	Se tool II	****	ا کے ا				
						τ			R TAXPAYER INSTR	

	Principal	Unapplied	Escrow	Buydown	Interest	
eginning Balance	533473.83	.00 .00 .00	4602.62	.00	Gross Interest Paid +	35539.2
mī. Paid/Recaipts	8621,80	.00	2727.47	.00	Prepaid Int. Not	<b>~</b>
mt. Disbursed	,00	.00	-5588.59	.00	Allowed Prior Years +	.0
scrow Interest			.00		Interest Subsidy	
nding Balance	524852.03	,00	1741.50	.00	(Buydown) -	.0
_					Interest Shortage -	.0
					Interest Paid	-
eal Estate Taxes Pa	id		.00		Reported Last Year -	.o
ate Charges Dus - N	ot Paid	1	52.41		Prepaid Interest	4.
ptional Insurance P	aid		.00		Not Allowed This Yr.	.œ
ees Paid			.00		Interest Shortage Pd +	.00
ees Due - Not Paid			.00		Prepayment Penalty +	.og
					Lete Charges Paid +	χ).
					1 Mar toward From	
					PARCE LAND FORE	
					Peyer(#)/Borrower(#) = 2 Points Pend	33539.2
					2. Points Pard	.0
					3. Pertand of Overpaid	
					Interest.	Œ
					4. Martongo Indureran Presiden	
					The same of the sa	, cx

# EXHIBIT "9"



SMART SC	LUTION PL	US		03350	044550	96		
INTEREST PAIL NUMBER OF DAY	REDITS ARGES AND CHECK ) 'S IN STATEMENT	PERIOD	169,559.2 2.5 16.951.8 2.5 2	AVERAGE AVERAGE O INTERES B CURREN	ST PAID T INTERE	E TED BALANCE YEAR TO DATE ST RATE		52,609.97 65,136.15 65,136.15 12,60 0.05
DEPOSITS/C		DESCRI		J-J				
03/06	2.50	INTERE	ST PAID THIS ST	ATEMENT THRU	03/06			
DEBITS/CHA	RGES AMOUNT	DESCRI	PTION	***************************************				
2/10	371.84		TIBED HOAVOING					
2/19	N 32.22	~	JESTERN HU ISA IONIC/ACH DEBIT	PAYHNT 821127	D ISAPYM	T		
)2/19	79.46	FPL DI	RECT DEBIT ELEC	PYHT 759482	1360 PPD	^ ) _>		
	<u> </u>	FPL DI	RECT DEBIT ELEC	PYMT 664368	4118 PPD	A		
3/02	407.96		ONIC/ACH DEBIT	PAYHNT FRECIS	94220			
3/02	6,617.86		ONIC/ACH DEBIT	PMTS 0216791	7837			
3/05	76.37	ELECTR	DNIC/ACH DEBIT D-222-0300 AT&T					
3/05	876.58	ELECTR	DNIC/ACH DEBIT ST LN 147 IC P.					
HECKS	TRUDMA	DATE	CHECK NUMBER	THUOHA	DATE	CHECK NUMBER	AHDUHA	DATE
645 646	670.82 8,460.77		4647 4648	260.00 374.02		4649 4650	288.85 415.08	
AILY COLLE	CTED BALANC	E	DATE	YOUR FUNDS		DATE	YOUR FUNDS	A.M. Anna and an anna anna anna anna anna an
2/10	69,187.44		02/27	59,980,97		03/06	52,609.97	
2/19 2/26	69,075.76 60,614.99		03/02 03/05	54,284,35 52,896,32				
REM MM F	ERFORMAN	CE		100004	445339	6		
NTEREST PAID		PERIOD	#1,635.05 0.00 0.00 0.00	AVERAGE AVERAGE INTEREST CURRENT	PAID Y	ED BALANCE EAR TO DATE		1,635.05 1,635.05 1,635.05 0.00 0.00%

EXHIBIT "10"

Gulf View Property Mgmt., Inc.

2335 Tamiami Trail Suite 505 - Maples, FL 34103 - (239)403-7991

March 3, 2009

EMB: 503

Mr. & Mrs. William Gunlicks 5150 Ste. 400 ( new office 5100 N. Tamiami Tr. #119 Naples, Fl 34103

RE: Due on or before April 1, 2009

Dear Mr. & Mrs. Gunlicks,

This is to bill you for your quarterly maintenance fee for April 1, 2009 thru June 30, 2009 and the first quarter adjustent of \$150.00

Please make your check payable to: The Embassy Club of Naples

If you have any questions, please feel free to contact our office.

> Prior Period(s) Maintenance

> > . . . . . .

150.00 2,350.00 \*

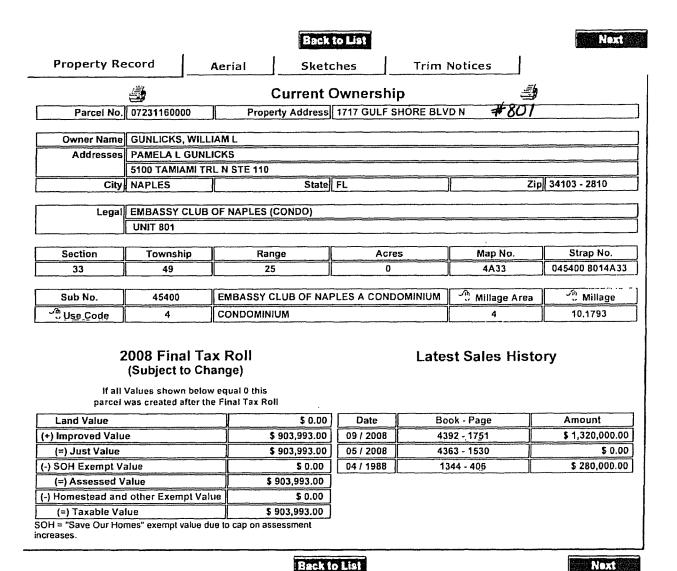
\$2,500.00

Please make your check in the amount of \$2,500.00 payable to The Embassy Club of Naples, Inc.

Sincerely,

For The Board of Directors -

EXHIBIT "11"



The Information is Updated Weekly.

## EXHIBIT "12"

in Bool

Your information is always treated confidentially.

Toll-Free: 800.634.7928 Internet: www.suntrusimortgage.com

136087 BT

#BWNDXCT #9427387976120128#

WILLIAM L GUNLICKS PAMELA L GUNLICKS 5100 TAMIAMI TRL N STE 110 NAPLES FL 34103-2810 Arabba Araba and Haran Maraba Mada and Maran Marah Labbara I

SEE REVERSE SIDE FOR IMPORTANT INFORMATION.

Property Address:

1717 GLLF SHORE BLV N 801 NAPLES FL 34102 239-514-3080

Home Phone: Other Phone:

239-514-2900

MORIGACI man martin in a

Statement Date 12/19/08 **Payment Due Date** 01/01/09 Loan Number 0216797837

Item Description	Amount
Balances	
Principal Balance #	758,518.89
Escrow Balance	.00
Payment Factor	į.
Interest Rate	8.12500%
Payment Information	
Principal & Interest	4,617.84
Esgrow Payment	.00
Optional Products	.00
Other	.00
MORTGAGE PAYMENT	4.817.84
Payment Past Dua	.00
Unpaid Late Charges	,00
Fees	.00
TOTAL AMOUNT DUE	4,817.84
Year to Date	
Interest	10,687.78
Taxes	.00
Principal Pald	1,481.11

<sup>\*</sup> This is Not A Payoff Amount

We have teamed up with First Book to provide children in need with brand new books. For more information visit www.firstbook.org.

You made a smart decision to participate in the SurePayIACH) Automated Payment program. Your mortgage payments will be automatically drafted monthly from your checking or savings account. This monthly statement is for informational purposes only but if you no longer wish to receive a paper statement go to suntrustmortgage.com, login to my account, register, and

We are always here to help and answer your questions. Call Dixon Blevin at (239) 598-0368, visit www.suntrustmortgage.com/dolevinsor call us at 877,648,8753.

Transaction Summary

									•
	Dote		Description	Amount	[Meres)	Principal	Becrow/impound	Misciffees	
	12/01	PAYMENT	•	\$4,617.84	\$3,875.40	\$742.44			
-	. :		,	4.	41.05				

IMPORTANT TAX INFORMATION: Your 2008 Mortgage Interest and Tax Statement (IRS Form 1098) will be mailed to you in January in a separate envelope labeled "Important Tax Information Enclosed". This form will contain necessary information to complete the real estate tax and mortgage interest information for your 2008 tax returns. Please be sure to retain this important tax document. You will also be able to view and print your 2008 IRS 1098 Interest Statement from our website, www.suntrustmortgage.com. Also, to ensure proper credit of any additional payments towards your 2008 year-end totals, the payments must be received in our offices no later than December 26, 2008.

Holiday Closings: SunTrust Mortgage will be closed on Thursday, December 25th in observance of the Christmas holiday and Thursday, January 1st in observance of New Year's Day.

Thank you for choosing SunTrust Mortgage – we appreciate your business.

Please include this portion with your payment. No partial payments accepted. Please do not send cash. Thank you for your business.

\*\*\*\* SunTrust Mortgage will be closed for Christmas, Thur Dec 25 and New Year's Day, Thur Jan 1. \*\*\*\*

SUNTRUST MORTGAGE

Loan Number: 0216797837 WILLIAM L GUNLICKS PAMELA L GUNLICKS

If you are paying after 2:00 PM on 01/16/09, your mortgage payment with \$230.89 late charge is \$4,848.73.

Specify the allocation of additional funds remitted. Funds not specified will be applied first to outstanding feet and then to principal.

Payment Due Date 01/01/09 Mortgage Payment 4,617.84 Payment Past Due .00 .00 Unpaid Late Charges .00 4,617.84 Total Amount Due Additional Principal Additional Escrow (Tex and Insurance)

Total Amount Enclosed

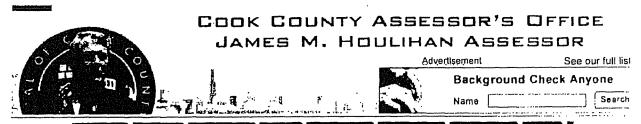
SUNTRUST MORTGAGE INC PD BOX 79041 BALTIMORE MD 21279-0041 Indiantialitathalladiadhadhalladhallidad

This is not a bill, but for your information only.

## EXHIBIT "13"

http://www.cookcountygov.com/ccgovinternet/Portlets/ExistingWebApp/Frameset\_Page.html?http://www.ccrd.info

Page 42 of 51



### About Us Appeals Exemptions Forms In General Online Tools In The News Home

#### PROPERTY SEARCH DETAILS

**Property Index Number:** 

05-21-403-002-0000

Address:

341 Sheridan Rd

City:

Winnetka

Township:

New Trier

170

Neighborhood:
Taxcode:

23008

View Property Picture

View Property Picture
View Property Map

#### **Assessed Valuation**

	2008	2007
	Assessor Certified Assessment	Board of Review Certified
Land Assessed Value	15,840	1 5, 8 40
Building Assessed Value	1 71, 15 1	17 1 , 15 1
Total Assessed Value	18 6,991	1 86,991
Estimated Market Value	1, 168,6 9 4	1 ,1 68 ,694

#### 2007 Property Exemptions

#### Homeowner Exemption Response = No Response

#### **Property Characteristics**

Class:

2-04

Description:

One Story Residence, Any Age, 1,801 Sq Ft. and Over

Residence Type

One Story
Single Family

Use

None

Apartments

Masonry

Exterior Construction

3

Full Baths Half Baths 3

\_ \_ \_1

Full and Rec Room

Basement<sup>1</sup>

Full and Living Area

Attic

Yes

Central Air Number of Fireplaces

165

Garage Size/Type<sup>2</sup>

2 car attached

**Building Square Footage:** 

1,811 6,000

Land Square Footage Assessment Pass

Assessor Certified

Age:

82

Land Square Footage:

6,000

<sup>1</sup> Excluded from Building Square footage, except apartment

#### 2008 Assessment Appeal Information

No Appeals found for current year

#### Other Information:

**HIE - 7** 

Parcel Contains One or More Home Improvement Exemptions

Return to Search Results

New Search



Cook County Assessor's Office (Main) County Building, Third Floor
118 North Clark Street, Chicago, IL 60602 (312) 443-7550
© 2003- 2008 Cook County Assessor's Office - All rights reserved Disclaimer

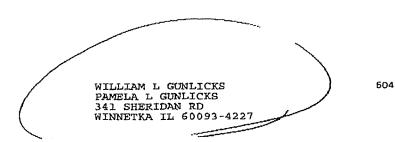
Comments, Questions or Suggestions . Contact Us

<sup>&</sup>lt;sup>2</sup> Excluded from Building Square footage

## **EXHIBIT "14"**

Page 1 of 2

#### NORTH SHORE COMMUNITY BANK & TRUST **7800 LINCOLN AVENUE** SKOKIE, IL 60077



#### LOAN STATEMENT

Statement Date	Apr 05, 2009
Payment Due Date	Apr 20, 2009
Account Number	03390007288
Note Number	00001
New Statement Balance	\$1,404,756.16
Fees Assessed/Unpaid	\$0.00
Past Dua Amount	00.0¢
Minimum Payment Due	\$4,756.16

Your checking account 02300009706 will be charged for this payment. Retain this statement for your records.

#### Interest Only Disclosure

\*\*PLEASE BE AWARE THAT MONTHLY PAYMENTS OF INTEREST ONLY WILL NOT REDUCE THE PRINCIPAL OWED ON YOUR LOAN. \*\*

Account Number: 03390007288 00001 Payment Due Date: 04/20/09 04/05/09 Maturity Date: 08/31/15 Statement Date: Availeble Fees Assessed Past Due Minimum Current ayment Due Amount Due Amount Credit Unpaid \$0.00 \$0.00 \$4,756.16 \$0.00 \$4,756.16

Activity Eff Post Advanças/Dabits Payments/ Principal

Finance Charge Credita Balance Date Date Dascription \$1,400,000.00 03/06 Principal Balance at the Beginning of the Cycle

\$4,295.89 \$1,400,000.00 03/20 03/20 Payment Interest Portion: \$4,295.89

WILLIAM L GUNLICKS PAMELA L GUNLICKS 341 SHERIDAN RD WINNETKA IL 60093-4227

03390007288 Account Number Apr 20, 2009 \$4,756.16 Payment Due Date Amount Dus Additional Prin, Int. Escrow, Fees: **Amount Enclosed** 

After 04/30/09 a late charge of \$237.81 will be assessed.

Check	here	tor	change	οf	address	Оľ	phone	number	and	indicate	changés	

Signature required for all changes

504 Please remit and make check payable to:

NORTH SHORE COMMUNITY BANK & TRUST 7800 LINCOLN AVENUE SKOKIE, IL 60077

#\$\$\$BO\\\$620# \\ \\ O\$\$\$QQQ?2BB\\\ DODO\$ \\ \\ O0004756\$6\\\

EXHIBIT "15"

.... Retain this portion for your records. Allow 5 days if mailing payment



Village of Winnetka 510 Green Bay Rd Winnetka, IL 60093 For Inquiries on Refuse, call (847) 716-3568 For Inquiries about utility bills, call (847) 446-9550

Account Number:

1-0718-01

Billing Date:

08/08/08

Due Date:

08/29/08

Amount Due:

\$602,95

Service Address:

341 SHERIDAN RD

Meter Numbers:

Electric: 9689

Water: 66429901

FOR INFORMATION ABOUT THE VILLAGE AUTOMATIC PAYMENT PLAN,

CALL THE UTILITY BILLING **DEPARTMENT AT (847) 446-9550** 

For 61 Days of Service From 05/30/08 To 07/30/08

Meter Read	ings	Meter				
Current -	Previous X	Const. =	Usage S	ervice Billed		Amount
1882 17600	1514 12700	10	3680 EL 4980 W	ECTRIC - RESIDENTIAL (SUMMER) ATER - RESIDENT!AL	\$	¥12.53 107.26
DISPOSAL OF SHARPS objects must be placed in with a tightly secured lic garbage-not recycling-c Sharps will only be colle	- Needles, syring in a hard plastic t I and then placed container, cted from Reside	r metal contair in the proper	SE SE ST PR	HOLESALE POWER ADJ. USTOMER CHARGE WER ATE TAX EVIOUS BALANCE OTAL AMOUNT DUE	\$ \$	6.20 18.92 46.26 11.78 0.09 602.95

RECYCLE SMALL ELECTRONICS: Used cell phones, digital cameras, DVD's, game consoles, ink cartridges, and laptop computers can be dropped off for recycling at Village Hall during normal business hours. Large items such as printers, monitors, toner cartridges, desktop computers, TV's, will NOT be accepted.

While supplies last, stop by Village Hall to pick up a free CFL bulb. The Metroploitan Mayors Caucus' Greenest Region Compact provided the Village with 3, 100 CFL bulbs for free distribution. CFL's use up to 75 percent less energy than incendescent bulbs. Residents recycling a burned out CFL at the Village Yerds can pick up another free CFL.

### NURTH SHORE GAS.

NATURAL GAS DELIVERY

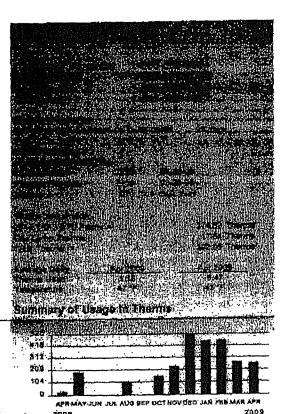
www.northshoregaxdelivery.com

Bill Date	Account Number	Payme	nt Due Date	Amount Due	
04/24/2009	3 5000 4433 9458	05/	18/2009	\$468.53	
Name Service Address Service Classification	Pamela L Gunlicks 341 Sheridan RD Winnetka IL 60093-42 Rate 1 - Small Rasida		e - Hexting		
Activity Since Last E Previous Balance Late Payment Charge Balance		-		\$272.62 \$3.97 \$276.59	
Delivery Charge Customer Charge Firel 50 Therms Over 50 Therms	\$.23803 x \$.08358 x		Fhorms = Thurms =	\$13.95 \$11.90 \$15.39 \$41.24	
Gas Charge Efficiency Program Environmental Chan	\$.45440 x		Therms =	\$132.71 \$0.31 \$3.97	
Tolume Balancing A			home =	- \$2.63	
Taxes Municipal Utility Tax State Tax State Gea Revenue Tax	\$175.70 x \$176,70 x \$.024 x	6,15 0,10 292,08	% = % = Therms =	\$9.05 \$0.18 \$7.01 \$16.24	
Total Gurrent Charg	86			\$191.94	
AMOUNT DUE				V \$468.53	

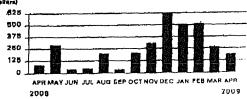
#### Messages

At the time of this statement, your account was past due. Please pay \$468.53 today. Continual late payments can result in a negative credit rating, deposit requests and even disconnection of service.

Property owners who make energy-efficient improvements can save big this year by combining new federal tax credits and rebates through the Chicagoland Natural Gas Savings Program. Learn more in Customer Connection.



## Summary of Total Current Charges (Colland)



The gas charge for April is 39,48 cents per therm and for March it was 68,34 cents per therm. The gas charge reflects how much North Shore Gas pays for gas, which is what you pay.

See back of bill for definitions of terms used on this bill.

NORTH SHORE GAS OUNT NUMBER: 3 5000 4433 9458

Please Pay \$468.53
Late After 05/18/2009 \$475.35

Please write your account number on your check.

Amount Due Amount Enclosed

\$468.53

5,259 NS 1604B 5,259

NORTH SHORE GAS PO BOX A3991 CHICAGO IL 60690-3991 Yes, I would like to pledge one dollar per month to the Share the Warmth fund which helps low-income customers pay energy bills. I have added one dollar to my payment. Check this box ->

Please do not write or stamp below this line.

48350004433945800028000004685300000

EXHIBIT "16"

Page 50 of 51

PAGE 01

04/23/2009 12:21 FAX

Ø 0002-0005

ATLANTA
MJAMI
ORLANDO
ST. PETERSBUIG
TALLAHASSEE
TAMPA
WEST PALM BEACH

### CARLTON FIELDS

ATTORNEYS AT LAW

4000 International Place 100 S.E. Second Street Miami, Florida 33131-2314

305.530.0050 305.530.0055 tox

April 23, 2009

VIA E-MAIL BGUNLICKS@CS.COM & U.S. MAIL

William Gunlicks 341 Sheridan Road Winnetka, Illinois 60093

Re: Securities & Exchange Commission v. Founding Partners Capital Management, Co.,

And William Gunlicks

United States District Court for the Middle District of Florida (Ft. Myers)

Dear Mr. Gunlicks:

We are writing to confirm that you would like to engage us as legal counsel in connection with the above-referenced litigation matter. We are pleased to have this apportunity to represent you, and we will endeavor at all times to provide effective, efficient, and responsive service. As this matter progresses, the nature or scope of the services we are to render may change and, in that event, it may be necessary for us to seek a modification of this agreement.

We are customarily compensated on an hourly basis for our services, and we propose to follow that arrangement here. My current hourly rate for this matter will be \$485.00 on hour; my partner Walter Taché's rate is \$445.00 on hour; and my partner Paul Calli's rate is \$415.00 on hour. The rates of other attorneys in our firm range currently from \$195.00 for junior associates to over \$750.00 per hour for our most senior attorneys. These rates are periodically adjusted and the rates in effect when services are rendered will be used in preparing our statement. If you have any questions about those adjustments, we will, of course, be happy to discuss them with you.

We are mindful of your interest in controlling the cost of legal services, and we will make every effort to represent you efficiently and in a cost-effective manner. Toward this end, we will attempt to ensure that work is allocated among senior and junior attorneys (or paralegals, where appropriate) to mointain high quality service at a reasonable cost. To the extent practicable and consistent with our professional responsibilities, we will accommodate your wishes about staffing this case.

Clients are responsible for our customary charges for expenses related to legal services rendered and for disbursements incurred by our firm on the client's behall, as described in the enclosure "Charges and Terms for Legal Services," to which we respectfully direct your attention. Bills for some third party costs may be transmitted directly to you for payment, and it is expected that these bills will be paid by you upon receipt. You are responsible for all such costs and charges.

Page 51 of 51

PAGE 02

04/23/2009 12:22 FAX

Ø 0003/0005

April 23, 2009 Page 2

We will send you our invoice for our fees and costs each month. We will include with the invoice a reasonably detailed description of the services and costs covered by the invoice. Our statements are due on receipt. An additional explanation of our billing practices agreed to herein is provided in the enclosure.

We ask that you forward to us, with your executed copy of this letter, an advance payment in the form of a current retainer in the initial amount of \$75,000, subject to the court authorizing a lifting or modification of the existing asset freeze order. Should the court not authorize such lifting or modifications to secure our initial retainer and future legal fees, you agree we may withdraw without further responsibility to represent you. This initial retainer shall be applied to our statements, as described in the enclosure.

We encourage you to write or call us at any time if you have any question about our invoice or about our services. We will be pleased to discuss any concerns that you may have.

If these arrangements are satisfactory, please sign the enclosed copy of this letter and return it to me at your earliest convenience.

We look forward to working with you on this matter, and, again, we appreciate the opportunity to be of service to you.

Very truly yours,

CARLTON FIELDS, P.A

MICHAELS, PASANO

WALTER J. TACHÉ

Accepted and agreed to this 231 day of April, 2009.

WILLIAM GUNLICKS