

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: ) Case No. 10-50494  
)  
FAIR FINANCE COMPANY ) Chapter 7  
)  
Debtor. ) Judge Marilyn Shea-Stonum  
)

**STATUS REPORT FOR MARCH 19, 2013 STATUS CONFERENCE**

Brian A. Bash, Trustee herein, submits the following summary of the status of the Trustee’s administration of the estate:<sup>1</sup>

**Recent Recoveries For the Estate**

Since the last status conference on January 22, 2012, the Trustee has recovered **\$501,696.85** for the estate constituting payments on fraudulent transfer settlements and accounts receivable collections, \$68,004.71 from Duvera Billing Services. The Trustee has filed or will be filing motions to compromise in connection with settlements entered into after the last status conference. As of March 14, 2013, the balance in the money market account maintained by the Trustee for the benefit of the Debtor’s estate is **\$2,274,724.25**.

**The Trustee’s Collection Efforts on Default Judgments**

The Trustee continues to pursue collection on the 35 default judgments he has obtained in adversary proceedings filed with this Court. The total amount of these default judgments is \$48,366,533.74. A spreadsheet identifying the adversary proceeding number, judgment debtor(s), default judgment date, amount and summary of collection strategy for each judgment is attached as **Exhibit A** to this status update.

<sup>1</sup> The Trustee and his professionals have addressed and resolved many of the administrative issues in this matter. This list is not exhaustive, but focuses on the issues most significant to asset recovery.



The Trustee recently filed motions with this Court seeking a report and recommendation recommending entry of default judgment against Timothy Durham and James Cochran. The total judgment amount sought against Durham is \$134,837,533.14. The total judgment amount sought against Cochran is \$9,756,084.40. Those motions are pending with this Court.

In furtherance of executing upon a smaller default judgment the Trustee already obtained against Durham, the Trustee completed a debtor's examination of Durham on March 4, 2013. The U.S. Marshals Service transported Durham from his place of incarceration to the United States District Court for the Southern District of Indiana. During the examination, the Trustee attempted to gather information about all assets held or sold by Durham over the last several years, including, but not limited to, all real property, vehicles, watercraft, aircraft, personal property, stock holdings, investment accounts, retirement accounts, bank accounts, lockboxes, intangible property, and other assets. Mr. Durham did not invoke the Fifth Amendment to most of the questions asked of him. While Mr. Durham's answers did not reveal any substantial assets the Trustee was not previously aware of, the Trustee did learn some new information that may be useful in collecting assets for the estate.

Certain individuals have contacted the Trustee and expressed interest about purchasing certain assets belonging to Durham and/or the Estate. The Trustee is pursuing negotiations on the potential sale of those assets, assuming the ability to foreclose once the judgments become final and are domesticated.

The Trustee has targeted eight judgments for domestication. The judgment debtors in these cases either appear to be collectible based on a preliminary examination or have very large judgments against them. The total amount of these judgments is \$23,891,311.49. The Trustee has domesticated four of these judgments in the states of Indiana and California. The Trustee is in the process of domesticating the judgment against Durham in other states where property may

be located, as disclosed during his debtor's examination. In addition, three other judgments will be domesticated in the states of South Carolina, Georgia and Mississippi. The Trustee has identified and negotiated terms of compensation with local counsel in South Carolina and Georgia. The Trustee is finalizing the engagement letters and other paperwork necessary to file a motion with this Court approving the retention of those local counsel. The Trustee continues to search for local counsel in Mississippi. The Trustee had been in negotiations with a Mississippi law firm, but those negotiations were ultimately unsuccessful because of a potential conflict of interest. The Trustee has identified other potential local counsel and is pursuing that engagement. Once the Trustee identifies local counsel in Mississippi, he will file the appropriate motion for Court approval of the retention of those professionals and proceed swiftly with domestication of judgments in Mississippi.

One judgment is against individuals who are believed to be British nationals. The total amount of this judgment is \$205,997.77. The Trustee is still considering the need to retain an experienced professional to assist with collection against these foreign judgment debtors.

The Trustee is focusing his collection efforts on the judgment debtors with the six largest outstanding judgments. The total amount of these judgments is \$39,533,442.99. In December 2012, the Trustee issued a total of 12 document subpoenas to banks that are or were associated with these judgment debtors. The Trustee has received responses to all but one of those subpoenas. The Trustee's forensic accountant is reviewing those documents to identify any claims the Trustee may have against any persons or entities who received money from those judgment debtors, including, but not limited to, subsequent transferee claims. The Trustee is in discussions with the only non-producing bank to arrange for production of responsive documents.

The Trustee conducted asset searches on all “high value” cases. The Trustee has deferred pursuit of ten judgments that have been classified as “low value” judgments. The total amount of these “low value” judgments is \$1,055,304.83. The Trustee will reevaluate whether there is any benefit to the estate in pursuing collection of the “low value” judgments based on the success of his collection efforts in the other default cases.

### **Status of the Litigation**

#### **The “Group A” Cases**

**Settlement of the *Donald Fair* Litigation.** On March 8, 2013, this Court entered an order approving the Trustee’s proposed compromise with Donald R. Fair. The aggregate value of the settlements in the Group A cases will be **\$4,180,000.00** in cash payments to the estate.

**Judgment in *Osler / Geist Sports Academy* Litigation.** On February 14, 2013, Judge Gaughan accepted this Court’s Report and Recommendation sanctioning defendants Dana Osler and Geist Sports Academy, LLC for discovery violations by entry of default judgments totaling more than \$700,000. That disposes of all the Trustee’s claims in this litigation except a negligent notarization claim against Elizabeth McClure, which the Trustee is negotiating to settle. The Trustee has filed a motion to certify the judgment against Osler and Geist Sports Academy as a final judgment under Rule 54(b).

#### **The Remaining “Group A” Cases:**

The following are the other active and pending Group A cases:

1. The *Textron / Fortress* litigation (\$72 million in claims, plus punitive damages);
2. Litigation against the former legal advisor for Fair Finance, Ronald Kaffen (approximately \$180,000);
3. Litigation against John Head, a former officer of the Debtor (approximately \$2.5 million in claims);
4. Litigation against Ricky Snow, a former officer of the Debtor (approximately \$1.7 million in claims); and

With respect to the *Textron / Fortress* litigation, the written discovery period has closed, and the parties have taken eighteen fact witness depositions in the case. The Trustee will continue to engage in discovery in this case.

In the litigation against Ronald Kaffen, the Trustee's counsel has taken the depositions of both Ronald Kaffen and his law firm, both of which are defendants in the litigation, and the Trustee's counsel has requested and obtained additional records from Mr. Kaffen relevant to Fair Finance and the claims at issue in the litigation. The remaining fact witness depositions in this litigation are being coordinated with the fact witness depositions in the Fortress matter in accordance with the Case Management Order entered in the Kaffen matter.

The continuing discovery in the litigation against John Head and Ricky Snow likewise is being coordinated with the discovery taking place in the Fortress litigation. The joint motion filed by counsel for the Trustee and John Head requesting the Court line up the case deadlines in that matter with those in the Fortress litigation to ensure efficiency and consistency in the discovery period was granted on January 18, 2013. In the litigation against Ricky Snow, settlement negotiations continue between counsel for the Trustee and Ricky Snow.

**The "Group B" Cases:** The one hundred and twenty (120) cases in the "Group B" category of cases include claims based on non-debtor transfers, loans or preferential transfers for which actions were filed after November 2011. These cases include the following:

1. **Fraudulent Transfer or Contract Claims:** This group of cases includes one hundred and seven (107) lawsuits. Of those lawsuits, twelve (12) remain active and contested and an additional four (4) cases have been stayed, generally because of the defendant's bankruptcy. The Trustee has settled or otherwise resolved his claims in forty-eight (48) lawsuits. In addition, a number of defendants in these lawsuits have defaulted, including all of the defendants in forty-three (43) lawsuits and some of the defendants in six (6) lawsuits, and the Trustee has obtained default judgments in most of these cases.

2. **Section 547 Claims Against Investors:** The Trustee filed twelve (12) preference complaints against investors. All of these complaints have been settled or otherwise resolved.
3. **Section 547 Claims Against Non-Investors:** The Trustee filed seven (7) complaints against non-investors receiving preferential payments from the Debtor. All of these complaints have been settled or otherwise resolved.

The chart attached as **Exhibit B** includes a list of all of the Group B cases, including those cases that have been settled or otherwise resolved by the Trustee with information on the corresponding settlement amount or resolution. The Trustee is pursuing settlement negotiations in the remaining Group B cases and will continue to prepare those matters for trial, if necessary.

**Other Litigation:** The Trustee is pursuing recovery for the estate in several other lawsuits involving certain state-law claims, including loan claims and claims against certain insiders of the Debtor. This group of cases includes the only lawsuit filed by the Trustee outside of this district (the *National Lampoon* litigation filed in the United States District Court for the Central District of California, Western Division). These cases include the following:

1. **The *Laikin* litigation (approximately \$25 million).** The parties to this litigation attended mediation in an effort to settle the Trustee's claims, and those efforts were not successful. The Court subsequently granted the Trustee's motion to reopen discovery in the litigation, and the Trustee has conducted numerous depositions pursuant to that Order, which have and continue to be subject to related motion practice. With the reopening of discovery, the Trustee also discovered that National Lampoon possesses data and documents that National Lampoon previously contended were missing. The Trustee has received more than 60 gigabytes of data from National Lampoon (roughly equivalent to 1500 bankers' boxes) and the Trustee is in the process of retrieving pertinent information from that data. The Trustee anticipates that the matter will ultimately proceed to trial.
2. **The *National Lampoon* litigation (approximately \$9 million).** While the parties have exchanged written discovery, the Trustee recently discovered that National Lampoon possesses a significant volume of data and documents that National Lampoon previously contended were missing. That revelation and the Trustee's discovery of the use of National Lampoon's cash to fund Durham's criminal defense, has significantly changed the posture of the case. The Trustee consequently asked the California district court to postpone the trial to December 2013, with an extension of related discovery and pre-trial deadlines in order to accommodate the considerable task of retrieving and digesting the newly

discovered data for use in prosecuting the Trustee's claims. The district court granted the requested extensions on January 7, 2013. The Trustee anticipates substantial further discovery and motion practice will result. National Lampoon also has undergone several changes in management since the Trustee commenced his claims. The Trustee is informed that Mr. Durham no longer has any position of management of or control over National Lampoon. The Trustee and counsel for National Lampoon have been cooperating with respect to the additional discovery and also intend to explore alternatives for resolving the Trustee's claims.

The Trustee has also learned that, since the last status conference, National Lampoon sued Mr. Durham, his criminal defense attorney, John Tompkins, and Mr. Tompkins' firm, Brown Tompkins Lory & Mastrian. The suit alleges that Mr. Durham embezzled \$1,000,000 in breach of his fiduciary duties, which were used to pay Mr. Tompkins. Mr. Tompkins and his firm were sued for conversion, fraudulent conveyance and unjust enrichment.

3. **The *McKibben* litigation against insiders of the Debtor and entities they controlled.** This Court recently heard oral arguments on whether some of the defendants in the *McKibben* action are subject to summary judgment in favor of the Trustee. Further, the Trustee has negotiated a settlement of the pending dispute regarding the National Union insurance policy. Subject to final approval of the draft agreement, the Trustee will file a motion to approve that compromise, which also will settle the Trustee's claims in the *McKibben* action against four of the defendants.

#### **Forthcoming Litigation**

a) **Subsequent Transfer Claims:** The Trustee expects that some of the defendants in the loan and fraudulent transfer litigation may not have the financial ability to pay the amounts sought by the Trustee. If the Trustee's claims are successful, the Trustee will consider pursuing subsequent transferee claims against transferees of those defendants.

b) **Additional Litigation:** The Trustee continues to evaluate additional potential claims that may be pursued for the benefit of the estate, including loan and fraudulent transfer claims for which the statute of limitations will not be expiring until the later part of 2013.

**Trustee's Focus in the Upcoming Weeks**

**Continuing Litigation:** The Trustee's counsel will continue to focus efforts on the litigation of the cases that have been filed by the Trustee to date.

Date: March 15, 2013

Respectfully submitted,

*/s/ Brian A. Bash*

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# **EXHIBIT A**

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
11-05232	<p>Durham Capital Corporation 1650 Marlay Drive Los Angeles, California 46236</p> <p>Timothy Durham - incarcerated pending sentencing</p>	6/4/2012	\$152,452.75	Jointly and Severally	<p>Conducted asset search. No real property found in the name of Durham Capital Corp. Real property found for Durham.</p> <p>Judgment Lien transferred to Indiana Federal Court.</p> <p>Judgment domesticated in Indiana and California. Hearing scheduled for next month in Indiana court. In process of domesticating judgment in other states where property of the judgment debtors is located. Pursuing steps necessary to attach property (if possible). May issue bank subpoenas and/or conduct bank sweeps.</p> <p>Engaged in discussions with certain persons regarding potential purchase of judgment debtors' interests in certain entities.</p> <p>Debtor's examination of Durham took place on March 4, 2013. Using information from that examination to evaluate other recovery options.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
11-05234	Guyer Durham, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$268,990.00	\$157,000.00 - Note \$111,990.00 - Fraudulent Transfers	<p>Conducted asset search. No real property found in the name of the defendant.</p> <p>Judgment domesticated in Indiana. Anticipated next steps include attaching property (if available), issuing bank subpoenas, and conducting bank sweeps.</p> <p>Deciding whether to conduct debtor's exam of Dale Buyer, who owned 47.5% of the defendant with Durham (47.5%) and Isaac Jacobson (5%).</p>
11-05203	Cedric Rashad 401 Abbey Springs Way McDonough, Georgia 30253	6/4/2012	\$83,340.48	n/a	<p>Conducted asset search. Real property found in the name of the defendant around Atlanta, Georgia.</p> <p>Have identified local counsel and worked out fee arrangement. In process of finalizing engagement paperwork necessary for court motions.</p> <p>After local counsel is approved, will work with local counsel to domesticate judgment in Georgia</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>with goal of attaching property or conducting bank sweeps against the defendant.</p> <p>Will decide whether to conduct debtor's examination at a later date.</p>
11-05209	<p>CargoTrailerUSA.com 2 Walkers Court Bluffton, South Carolina 29910</p> <p>Adam Dowe 2 Walkers Court Bluffton, South Carolina 29910</p>	6/4/2012	\$68,926.31	<p>\$24,917.18 - Note \$44,009.13 - Unjust Enrichment</p>	<p>Conducted asset search. Real property found in the name of Adam Dowe in South Carolina. No real property found in name of CargoTrailer, but appear to have a business address in South Carolina.</p> <p>Have retained local counsel and in process of finalizing paperwork necessary for court motions.</p> <p>After local counsel is approved, will work with local counsel to domesticate judgment in South Carolina with goal of attaching property or conducting bank sweeps against the defendant.</p> <p>Will decide whether to conduct debtor's examination at a later date.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
11-05237	My Ghetto Holdings, LLC 8228 Sunset Boulevard Los Angeles, California 90046	6/4/2012	\$305,160.18	\$170,260.18 - Note \$134,900.00 - Fraudulent Transfers	<p>Not expected to be collectible. Social networking site that is believed to be defunct. Members: Durham (40%), DTP Holdings, LLC (30%), Daniel Laiken (5%), John Ringgold (5%), Reno Rolle (5%), Various Laiken trusts (15%).</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05021	Bad Boyz Toy Shop LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$153,900.00	n/a	<p>Corresponds closely with Rated X Garage.</p> <p>Not expected to be collectible. High end sports car repair show with no ownership by Durham. Changed name to Rated X. Final tax return for Rated X filed 2007. Administratively dissolved in 2011.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05022	Black Rock Acquisition Corporation 9032 Diamond Point Drive Indianapolis, Indiana 46236	6/4/2012	\$838,900.00	n/a	<p>Not expected to be collectible. Entity used to take Obsidian Enterprises private. Final tax return filed 2005. Administratively dissolved in 2006.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05030	Fashion House, LLC dba Identity Streetwear 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$42,250.00	n/a	<p>Not expected to be collectible. Start-up company for Jamie Rae. Members: Durham and Jamie Rae. No financial information. No loan documents.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>
12-05028	Durco Leasing, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$1,288,650.00	n/a	<p>Not expected to be collectible. Entity used to own 12.5% of an airplane. 2009 settlement released defendant of its financial responsibility and partial ownership interest in the plane.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all bank subpoenas. Forensic accountant currently in the process of identifying any claims the Trustee may have against any persons or entities related to or who received money from the judgment debtor.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05025	<p>Champion Trailer Acquisition, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204</p> <p>Champion Trailer Company, L.P. 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204</p> <p>Champion Trailer, Inc.</p>	6/4/2012	\$335,783.36	n/a	<p>Not expected to be collectible. High end, custom built trailers for the racing industry. Closed in 2006. Durham assumed the company's debt with Fair Finance totaling a little over \$7 million.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
	111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204				
12-05023	Cannonball World Events, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$446,181.76	n/a	Further investigation required.  Closely tied to judgment against Timothy and Nina Porter, on which we are pursuing collection, but not expected to be collectible. Entity operated a cross-county auto race called The Great American Run. Members: Durham (48%) and Timothy Porter (52%). Administratively dissolved in 2011.  In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps or collecting through Timothy Porter.
11-05205	Pointe Leasing, LLC 2000 Rubberway Drive, P.O. Box 820165 Vicksburg, Mississippi 39182	6/4/2012	\$385,675.34	n/a	Further investigation required.  Not expected to be collectible, but may have leases to pursue. Entity leased trailers to third parties.

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>Members: Durham (62.5%) and Cochran (37.5%).</p> <p>In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps or collecting on outstanding leases.</p>
11-05204	Alexander Talbott, Inc., fka Hamilton-Ryker of Indianapolis, Ind., dba Strategic Human Resource Management 251 E. Ohio Street, Suite 1100 Indianapolis, Indiana 46204	6/4/2012	\$423,515.95	n/a	<p>Further investigation required.</p> <p>Defendant merged with a third party not too long ago (believe 2011). Not expected to be collectible, but may be able to collect from merged entity. Entity was a professional recruitment service. Administratively dissolved in 2011.</p> <p>In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps or collecting from merged entity.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05037	Waterway Group Realty, LLC 1404 South 3rd Street Jacksonville Beach, Florida 32250	6/4/2012	\$89,000.00	n/a	<p>Not expected to be collectible. Line of credit from DCI. No loan documents. Administratively dissolved in 2008.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>
12-05036	Vizion Enterprises, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$309,234.29	n/a	<p>Not expected to be collectible. Entity was a restaurant and lounge that closed in 2007. Foreclosure in 2008.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05033	Rated X Custom Garage, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$641,362.01	n/a	<p>Corresponds closely with Bad Boyz Toy Shop.</p> <p>Not expected to be collectible. High end sports car repair show with no ownership by Durham. Formerly known as Bad Boyz. Final tax return filed 2007. Administratively dissolved in 2011.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.
11-05239	Medical Collections Group, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$407,412.36	\$145,966.12 - Note \$88,123.12 - Unjust Enrichment \$173,323.12 - Fraudulent Transfers	Not expected to be collectible. Members: Durham (30%), Cochran (30%), Mike Sanders (30%), John Head (5%), Aaron Winkler (5%).  Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.
11-05235	J Blanton, LLC 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46204	6/4/2012	\$634,124.96	\$334,124.96 - Note  \$300,000.00 - Fraudulent Transfers	Further investigation required.  Not expected to be collectible, but may be able to collect on liquidation of equipment and inventory at closing. 100% owned by Durham. Possible set up to own Durham's interest in Superline.  Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05064	Aaron Landau 19850 Pacific Coast Highway Malibu, California 90265	6/4/2012	\$75,000.00	n/a	<p>Conducted asset search. Real property and vehicle found in the name of the defendant.</p> <p>Judgment domesticated in California. In process of pursuing next steps, including attaching property (if possible), issuing bank subpoenas, and conducting bank sweeps.</p> <p>Will decide whether to conduct a debtor's examination at a future date.</p>
12-05085	Social Connects 8228 Sunset Boulevard Los Angeles, California 90046	6/4/2012	\$63,500.00	n/a	<p>Not expected to be collectible. No financial information. Same address as My Ghetto Holdings.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>
12-05092	Obsidian Leasing Company, Inc. 2000 Rubber Way, Highway 61 South Vicksburg, Mississippi	6/4/2012	\$2,720,414.16	n/a	<p>Not expected to be collectible, but may be able to collect on liquidation of equipment and inventory that may still exist. 100% owned by Obsidian Enterprises. Owned approximately</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
	39182				<p>25 coaches. Most sold in 2007. May still have five coaches.</p> <p>Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all bank subpoenas. Forensic accountant currently in the process of identifying any claims the Trustee may have against any persons or entities related to or who received money from the judgment debtor.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05087	Strategic Sports Agency, Inc. 2508 NW Boca Raton Boulevard Boca Raton, Florida 33431	6/4/2012	\$172,000.00	n/a	<p>Not expected to be collectible. No financial information. Relates to Howard Jaffe, sports agent.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
11-05207	Square One Design, Inc. c/o Douglas Sholty 8206 Meadow Drive Brownsburg, Indiana 46112	6/8/2012	\$39,090.86	n/a	<p>Not expected to be collectible. Was taken over by Durham Whitesell &amp; Associates LLC. Entity provides graphic lettering and sign services. Have significant financial difficulties. May be out of business. May have graphic equipment.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>
12-05038	DC Investments Leasing, LLC c/o Timothy Durham 9032 Diamond Point Drive Indianapolis, Indiana 46236	6/8/2012	\$5,795,918.93	\$4,810,194.59 - Notes \$985,724.34 - Fraudulent Transfers	<p>Not expected to be collectible, but may be able to collect on liquidation of equipment and inventory that may still exist. Members: DCI (99%) and Durham (0.5%). Obsidian Enterprises. Owned approximately 11 coaches. Most sold in 2007. May still have one coach.</p> <p>Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all bank subpoenas. Forensic accountant currently in the process of identifying any claims the Trustee may have against any</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>persons or entities related to or who received money from the judgment debtor.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>
12-05058	Evaco Acquisition dba Superline Trailers 480 Aerodome Way Griffin, Georgia 30224	6/8/2012	\$1,017,590.00	n/a	<p>Further investigation required.</p> <p>Not expected to be collectible. Members: Durham (42.89589%), rest unknown. Business closed in 2009 and assets were transferred to Classic Manufacturing (100% owned by Obsidian Enterprises).</p> <p>In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps or collecting on liquidated assets.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05093	Playa del Racing, Inc. 150 Gasoline Alley, Suite B Indianapolis, Indiana 46222	6/8/2012	\$2,490,433.74	\$1,430,167.05 - Note  \$1,060,266.69 - Fraudulent Transfers	<p>Not expected to be collectible, but may be able to collect on assets from sale of racing team in 2008. Owned by Gary Sallee, Jeff Brougher, Ernie Moody and Susan Schafer. Racing team that was sold in 2008 by American Dream Motorsports. Went bankruptcy in 2008.</p> <p>Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all bank subpoenas. Forensic accountant currently in the process of identifying any claims the Trustee may have against any persons or entities related to or who received money from the judgment debtor.</p> <p>Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05062	Pyramid Coach, Inc. 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46236  (Pyramid North LLC dismissed from case)	6/8/2012	\$975,938.40	n/a	Not expected to be collectible. 100% owned by Obsidian Enterprises. Operating company for the coaches owned by other subsidiaries. Most coaches sold in 2007. Business closed in 2009.  Conducted an asset search to determine whether it is worthwhile to domesticate judgment. No assets were located in the search.
12-05024	Chairman Cigars, LLC 9032 Diamond Point Drive Indianapolis, Indiana 46236	8/30/2012	\$144,375.00	n/a	Not expected to be collectible. Members: Durham (33.33%), Cochran (33.33%), Jeff Osler (33.33%). Closed in 2008. Durham moved inventory to his house when business closed.  Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.
12-05112	Four Leaf Management, LLC 25 West 9th Street Indianapolis, Indiana 46204	8/30/2012	\$124,835.00	n/a	Not expected to be collectible. Member included Daniel Laiken (% unknown). Entity had broker accounts at Securities Research. Account no. LIX-238402 as of 12/31/10 with balance of \$2,108.44.

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>Account no. 885-23840 as of 1/31/08 with balance of \$13,197.42. This amount is part of the Laiken litigation.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions and Laiken action.</p>
12-05148	US Rubber Reclaiming, Inc. c/o Timothy Durham 9032 Diamond Point Drive Indianapolis, Indiana 46236	8/30/2012	\$22,860,604.18	<p>\$18,399,388.98 - Note</p> <p>\$4,461,215.20 - Fraudulent Transfers</p>	<p>Not expected to be collectible, but may be able to collect on proceeds from liquidation of assets. 100% owned by Obsidian Enterprises. Unsure about status of real estate.</p> <p>In process of engaging local counsel. Had been in discussions with one potential law firm, but those negotiations were unsuccessful. Once local counsel is obtained, will pursue domestication and other collection actions.</p> <p>Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all but one bank</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
					<p>subpoena and in process of following up on only outstanding subpoena. Forensic accountant currently in the process of identifying any claims the Trustee may have against any persons or entities related to or who received money from the judgment debtor.</p> <p>Conducted an asset search. No assets were located in the search</p>
11-05231	Blair Kiel Partners Inc. c/o Resource Commercial Real Estate, LLC 900 E. 96th Street, Suite 350 Indianapolis, Indiana 46240	8/30/2012	\$126,328.96	n/a	<p>Not expected to be collectible. Start-up company. Administratively dissolved in 2008.</p> <p>Do no plan to conduct asset search or pursue judgment at this time. May reconsider later based on outcome of other collection actions.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05145	<p>Aesthetic Surgery Center, LLC 13590 North Meridian Carmel, Indiana 46032</p> <p>Beeson Aesthetic Surgery Institute, LLC 13590 North Meridian Carmel, Indiana 46032</p>	8/30/2012	\$176,000.00	n/a	<p>Conducted asset search. No real property found in the name of the defendants. Boat and real property found in the name of the owner of the defendants, with mortgage and sales involving DCI. Each defendant also owes approximately \$800,000 on leases with Diamond Investments. Pursuing further investigation.</p> <p>Judgment domesticated in Indiana. Anticipated next steps include attaching property (if possible), issuing bank subpoenas, and conducting bank sweeps.</p> <p>Decided to wait for domestication of judgment in Florida pending further asset investigation.</p> <p>Deciding whether to conduct debtor's exam of William H. Beeson, owner of the defendants.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05063	<p>Timothy and Nina Porter 12668 East 116th Street, #128 Fishers, Indiana 46037</p> <p>OR</p> <p>108 West 13th Street Wilmington, Delaware 19801</p>	8/30/2012	\$205,997.77	n/a	<p>Conducted asset search. No real property found in the name of the defendants. Defendants are British citizens who travel often and purportedly still arrange auto races around the world. Believe Timothy and Nina are now divorced. May need an expert to conduct international asset search.</p> <p>Cannot domesticate judgment until the defendants and their assets can be located.</p>
12-05018	<p>Indianapolis Concours, Inc. 111 Monument Circle, Suite 4800 Indianapolis, Indiana 46236</p>	8/30/2012	\$100,025.01	<p>\$15,309.80 - Note</p> <p>\$84,715.21 - Fraudulent Transfers</p>	<p>Not expected to be collectible. Non-profit entity. Durham – president, Neil Lucas – registered agent, Andrew Lee – executive director, Roger Brummett – founder and chairman. Administratively dissolved in 2009.</p> <p>In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps.</p>

Adversary Proceeding Number	Defendants' Names and Addresses	Final Judgment Entered by District Court	Amount of Judgment (excluding post-judgment interest)	Breakdown of Judgment Amount	Collection Efforts As Of 12/14/2012
12-05039	DW Leasing Company, LLC c/o CT Corporation System 645 Lakeland East Drive, Suite 101 Flowood, Mississippi 39232	12/12/12	\$4,403,621.98	\$2,989,367.68 - Notes  \$402,620.27 - Unjust Enrichment  \$1,011,634.03 - Fraudulent Transfers	Not expected to be collectible.  Issued subpoenas to banks where defendant is known to have had accounts in the past. Received responses to all bank subpoenas. Forensic accountant currently in the process of identifying any claims the Trustee may have against any persons or entities related to or who received money from the judgment debtor.  In process of conducting asset search to determine whether it is worthwhile to domesticate judgment for purpose of conducting bank sweeps.
			<b>\$ 48,366,533.74</b>		

# **EXHIBIT B**

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
<b>GROUP A-1 - ACTIVE GROUP A CASES</b>										
1	Bash v. Ricky D. Snow	FT (Debtor Transfers)	\$ 1,763,679.68	12-5096	12-00980				\$ 35,076.00	
2	Bash v. John J. Head; Head Consulting Group, Inc.	FT (Debtor Transfers)	\$ 2,522,333.06	12-5097	12-00981				\$ 42,313.50	
3	Bash v. Textron; Fortress; Fair Facility	FT (Debtor Transfers)	\$ 72,000,000.00	12-5101	12-00987				\$ 2,885,226.50	Includes fees from task codes B48 and B57.
4	Bash v. Ronald O. Kaffen; Kaffen & Zimmerman	FT (Debtor Transfers)	\$ 279,483.50	12-5149	12-00994				\$ 77,588.50	
5	Bash v. Donald R. Fair	FT (Debtor Transfers)	\$ 150,000,000.00	12-5152	12-00996				\$ 141,981.00	Includes fees from task codes B64 and B193.
6	Bash v. Dana Osler; Geist Sports Academy, LLC; Elizabeth McClure	FT (Debtor Transfers)	\$ 1,947,343.42	12-5158	12-00997				\$ 54,942.00	
		<b>TOTAL:</b>	<b>\$ 228,512,839.66</b>						<b>\$ 3,237,127.50</b>	
<b>GROUP A-2 - SETTLED OR RESOLVED GROUP A CASES</b>										
1	Bash v. BGBC Partners, LLP	FT (Debtor Transfers)	\$ 192,180.00	12-5102	12-00989	Y		\$ 100,000.00	\$ 29,210.50	Includes half of fees from task code B67.
2	Bash v. Somerset CPAs, P.C.	FT (Debtor Transfers)	\$ 760,454.00	12-5108	12-00992	Y		500,000.00	\$ 64,723.50	Includes half of fees from task code B67.
3	Bash v. Terry Whitesell; Julia Whitesell	FT (Debtor Transfers)	\$ 221,810.19	12-5109	12-00993	Y		\$ 30,000.00	\$ 35,554.00	
		<b>TOTAL:</b>	<b>\$ 1,174,444.19</b>					<b>\$ 630,000.00</b>	<b>\$ 129,488.00</b>	
<b>GROUP A-3 - DEFAULT GROUP A CASES</b>										
1	Bash v. James Cochran; Susan Cochran	FT (Debtor Transfers)	\$ 9,255,212.64	12-5098	12-00988				\$ 35,295.50	
2	Bash v. Fair Holdings, Inc.; DC Investments, LLC	FT (Debtor Transfers)	\$ 351,212,690.22	12-5103	12-00990				\$ 21,635.50	
3	Bash v. Timothy Durham	FT (Debtor Transfers)	\$ 69,606,148.70	12-5107	12-00991				\$ 278,794.50	
		<b>TOTAL:</b>	<b>\$ 430,074,051.56</b>						<b>\$ 335,725.50</b>	
<b>GROUP B-1 - ACTIVE GROUP B CASES</b>										
1	Bash v. Etelco Services, Inc. et al.	Loan Claims	\$ 19,718.75	11-5233	12-00984				\$ 26,303.50	
2	Bash v. Car Collector Magazine, LLC; Jeffrey Broadus; RM Classic Car Production, Inc.	FT (Non-Debtor Transfers)	\$ 950,381.78	12-5017	12-01155				\$ 13,075.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
3	Bash v. Alternate Billing Corporation	FT (Non-Debtor Transfers)	\$ 292,831.36	12-5020	12-00999				\$ 44,205.00	
4	Bash v. Cindy Landeen	FT (Non-Debtor Transfers)	\$ 240,000.00	12-5026	12-01152				\$ 51,958.50	
5	Bash v. Erika Lookadoo Jiles	FT (Non-Debtor Transfers)	\$ 33,400.00	12-5029	12-01671				\$ 26,281.00	
6	Bash v. Mitza Durham	FT (Non-Debtor Transfers)	\$ 831,426.46	12-5032	12-01672				\$ 26,536.00	
7	Bash v. Neil Lucas	FT (Non-Debtor Transfers) + Loan Claims	\$ 489,459.10	12-5046	12-00998				\$ 62,281.50	
8	Bash v. Stephen Blaising	FT (Non-Debtor Transfers)	\$ 228,751.36	12-5057	12-00977				\$ 11,882.00	
9	Bash v. Henri Najem; Najem Durham Enterprises, LLC; Najem Management, Inc.; Najem Enterprises, Inc.; Najem Durham Investments, LLC	FT (Non-Debtor Transfers)	\$ 1,852,801.97	12-5061	12-02222				\$ 35,442.00	Includes fees from task codes B62 and B126.
10	Bash v. Joseph Hennigin	FT (Non-Debtor Transfers)	\$ 149,815.16	12-5078	12-00979				\$ 15,133.50	
11	Bash v. Bernard Durham aka B.J. Durham	FT (Non-Debtor Transfers)	\$ 59,107.00	12-5104	12-01153				\$ 16,453.00	
12	Bash v. Courtney Durham	FT (Non-Debtor Transfers)	\$ 64,700.00	12-5105	12-01673				\$ 21,338.00	
13	Bash v. Joan SerVaas	FT (Non-Debtor Transfers)	\$ 226,000.00	12-5106	12-01154				\$ 20,439.50	
14	Bash v. Bruce Long	FT (Non-Debtor Transfers)	\$ 55,000.00	12-5110	12-00986				\$ 14,165.50	
15	Bash v. Dalinger Designs, Inc.	FT (Non-Debtor Transfers)	\$ 311,026.75	12-5111	N/A				\$ 20,945.00	
16	Bash v. Phillip Press, Inc.	FT (Non-Debtor Transfers)	\$ 32,000.00	12-5113	N/A				\$ 8,662.00	
17	Bash v. Cornelius Alig	<b>STAYED DUE TO BANKRUPTCY</b>	\$ 800,000.00	12-5141	N/A				\$ 11,912.00	
18	Bash v. Shannon Connor Design, Inc.	FT (Non-Debtor Transfers)	\$ 1,445,427.21	12-5144	12-01156				\$ 29,800.50	
19	Bash v. Shannon Frantz	<b>STAYED DUE TO BANKRUPTCY</b>	\$ 401,713.37	12-5151	N/A				\$ 10,338.50	
20	Bash v. Plopper and Partners, LLC	Contract Claims (Lease)	\$ 128,792.68	12-5156	N/A				\$ 36,028.00	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
21	Bash v. Edward Morris	FT (Non-Debtor Transfers)	\$ 60,000.00	12-5163	N/A				\$ 33,301.00	
22	Bash v. 77th Street Partners	FT (Non-Debtor Transfers)	\$ 580,000.00	12-5212	N/A				\$ 50,011.00	Includes fees from task codes B65 and B199.
		<b>TOTAL:</b>	<b>\$ 9,252,352.95</b>			<b>TOTAL:</b>			<b>\$ 586,492.50</b>	
<b>GROUP B-2 - SETTLED/RESOLVED GROUP B CASES</b>										
1	Bash v. Obsidian Conference and Catering Center, LLC	PENDING APPROVAL	\$ 30,000.00	11-5230	12-00983	Y		\$ 12,000.00	\$ 19,892.50	
2	Bash v. Mark Phillips	FT (Non-Debtor Transfers)	\$ 30,000.00	11-5236	N/A	Value provided		\$ -	\$ 150.00	
3	Bash v. Durham Whitesell & Associates, LLC	FT (Non-Debtor Transfers)	\$ 252,650.00	11-5240	N/A	Y		\$ -	\$ 10,575.50	\$30,000.00 settlement amount for Case No. 12-5109 also settled these claims.
4	Bash v. Mathie Construction, Ltd.	547 - Non-Investor	\$ 13,756.10	12-5013	N/A	Y	\$ 5,663.54	\$ 1,500.00	\$ 3,248.00	
5	Bash v. Rubin & Levin Professional Corporation	547 - Non-Investor	\$ 40,000.00	12-5014	N/A	Y		\$ 18,500.00	\$ 5,166.00	
6	Bash v. Sanders Group of Indianapolis, Inc.	547 - Non-Investor	\$ 30,000.00	12-5015	N/A	Y		\$ 8,500.00	\$ 2,073.00	
7	Bash v. Voyles Zahn Paul Hogan & Merriman	547 - Non-Investor	\$ 25,000.00	12-5016	N/A	Y		\$ 5,000.00	\$ 2,519.00	
8	Bash v. Robert Shoemake	PENDING APPROVAL	\$ 54,687.24	12-5019	N/A	Return truck		\$ -	\$ 6,941.50	
9	Bash v. Barone	FT (Non-Debtor Transfers)	\$ 152,850.00	12-5027	N/A	Hardship		\$ -	\$ 534.50	
10	Bash v. Pace	FT (Non-Debtor Transfers)	\$ 135,248.34	12-5031	N/A	Hardship		\$ -	\$ 1,047.50	
11	Bash v. Scott Solem and Limitless Yachting, Inc.	PENDING APPROVAL	\$ 84,326.05	12-5034	N/A	Y		\$ 5,000.00	\$ 1,275.00	
12	Bash v. Table Moose Media, LLC	FT (Non-Debtor Transfers)	\$ 322,250.00	12-5035	N/A	Y		35,000.00	\$ 35,243.50	
13	Bash v. Billie Dennie & Ann Dennie	FT (Non-Debtor Transfers)	\$ 241,557.12	12-5045	N/A	Chapter 7		\$ -	\$ 3,391.00	
14	Bash v. Michael Rypel	FT (Non-Debtor Transfers)	\$ 29,508.58	12-5047	N/A	Y		\$ 2,500.00	\$ 3,102.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
15	Bash v. Balint and Associates; Raymond W. Balint	547 - Non-Investor	\$ 66,866.39	12-5049	N/A	Y	\$ 6,497.57	35,000.00	\$ 47,001.50	
16	Bash v. Carlile Patchen & Murphy LLP	547 - Non-Investor	\$ 10,000.00	12-5050	N/A	Y		\$ 2,500.00	\$ 945.50	
17	Bash v. Mercho, Wells & Masterson, Inc. and Hassan Mercho	FT (Non-Debtor Transfers)	\$ 1,437,206.00	12-5059	N/A	Y		10,000.00	\$ 17,902.00	
18	Bash v. Michael Durham	FT (Non-Debtor Transfers)	\$ 49,713.12	12-5060	N/A	Hardship / Military		\$ -	\$ 1,739.00	
19	Bash v. American Legends Publicity, Inc.	PENDING APPROVAL	\$ 150,488.11	12-5065	N/A	Consent J.		\$ -	\$ 3,587.50	
20	Bash v. Anthony Najem	FT (Non-Debtor Transfers)	\$ 69,600.00	12-5066	N/A	Value provided		\$ -	\$ 1,480.00	
21	Bash v. Auburn Automotive Heritage, Inc. dba Auburn Cord Deussenberg Museum	FT (Non-Debtor Transfers)	\$ 78,970.00	12-5067	N/A	Y		\$ 30,000.00	\$ 3,228.50	
22	Bash v. Benjamin Harrison Presidential Site, Inc. dba Benjamin Harrison Home	PENDING APPROVAL	\$ 50,000.00	12-5068	N/A	Y		\$ 18,000.00	\$ 13,321.00	
23	Bash v. Bennett Productions, Inc.	FT (Non-Debtor Transfers)	\$ 300,000.00	12-5069	12-00982	Y		90,000.00	\$ 36,495.50	
24	Bash v. Lockwood	FT (Non-Debtor Transfers)	\$ 892,200.34	12-5070	N/A	Value / Hardship		\$ -	\$ 2,255.50	
25	Bash v. Dennis Barsky	PENDING APPROVAL	\$ 30,000.00	12-5071	N/A	Y		\$ 15,000.00	\$ 7,018.00	
26	Bash v. Disturbing Tha Peace Touring, Inc.	PENDING APPROVAL	\$ 76,603.00	12-5072	N/A	Y		\$ 75,000.00	\$ 12,270.50	\$75,000.00 payment settled both cases.
27	Bash v. Ludacris Foundation, Inc.	PENDING APPROVAL	\$ 30,000.00	12-5081	N/A	Y			\$ 6,863.00	
28	Bash v. George Anderson	FT (Non-Debtor Transfers)	\$ 43,571.34	12-5073	N/A	Hardship		\$ -	\$ 879.00	
29	Bash v. Girls, Inc.	FT (Non-Debtor Transfers)	\$ 37,500.00	12-5074	N/A	Y		\$ 7,500.00	\$ 12,165.00	
30	Bash v. Green Lantern Partners, Ltd.	FT (Non-Debtor Transfers)	\$ 127,000.00	12-5075	N/A	Value provided		\$ -	\$ 3,313.00	
31	Bash v. Jamie Ferrell	FT (Non-Debtor Transfers)	\$ 273,347.71	12-5076	N/A	Y		\$ 55,000.00	\$ 3,785.00	
32	Bash v. International Concierge	FT (Non-Debtor Transfers)	\$ 49,840.00	12-5077	N/A	Value provided		\$ -	\$ 1,044.50	
33	Bash v. Kato Kaelin	FT (Non-Debtor Transfers)	\$ 23,700.00	12-5079	N/A	Y		\$ 7,000.00	\$ 3,790.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
34	Bash v. Kathryn James & The Charles L. James Trust	FT (Non-Debtor Transfers)	\$ 358,681.13	12-5080	N/A	Y		\$ 275,000.00	\$ 13,436.00	
35	Bash v. Randi Siegel Ent.	FT (Non-Debtor Transfers)	\$ 22,000.00	12-5082	N/A	Value provided		\$ -	\$ 2,002.00	
36	Bash v. Shulte & Urig	FT (Non-Debtor Transfers)	\$ 63,600.00	12-5083	N/A	Value provided		\$ -	\$ 905.00	
37	Bash v. Sirote & Permutt	FT (Non-Debtor Transfers)	\$ 585,520.02	12-5084	N/A	Value provided		\$ -	\$ 1,984.50	
38	Bash v. Stonefield Josephson, Inc. CPAs nka Marcum LLP	PENDING APPROVAL	\$ 41,375.00	12-5086	N/A	Y		\$ 20,000.00	\$ 6,990.00	
39	Bash v. Tom Banner	FT (Non-Debtor Transfers)	\$ 45,000.00	12-5088	N/A	Value / Hardship		\$ -	\$ 380.50	
40	Bash v. Weener & Nathan	FT (Non-Debtor Transfers)	\$ 300,000.00	12-5089	N/A	Value provided		\$ -	\$ 368.00	
41	Bash v. Obsidian Capital Co., LLC; Timothy Durham; Terry Whitesell	FT (Non-Debtor Transfers)	\$ 1,123,097.58	12-5090	N/A	Y			\$ 5,855.50	\$30,000.00 settlement amount for Case No. 12-5109 also settled these claims.
42	Bash v. Kevin James	PENDING APPROVAL	\$ 16,287.24	12-5094	N/A	Y		\$ 16,287.24	\$ 8,046.50	
43	Bash v. Mitch for Governor	FT (Non-Debtor Transfers)	\$ 90,000.00	12-5126	N/A	Y		\$ 3,000.00	\$ 1,739.50	Includes fees from task codes B46 and B170.
44	Bash v. Fragola & Fragola Limited Partnership; Albert Fragola; The Estate of Nunzie Fragola	547 - Investor	\$ 60,313.15	12-5129	N/A	Y	\$ 80,000.00	\$ 10,000.00	\$ 8,265.50	
45	Bash v. H. Joanne Allen, Trustee	547 - Investor	\$ 20,016.99	12-5130	N/A	Y	\$ 37,609.93		\$ 2,090.50	
46	Bash v. Hazel Cossey	547 - Investor	\$ 20,000.00	12-5131	N/A	Y	\$ 20,000.00		\$ 1,119.00	
47	Bash v. The Doe Trust; James O. Pigg	547 - Investor	\$ 17,781.88	12-5132	N/A	Y		\$ 14,000.00	\$ 1,379.50	
48	Bash v. Joseph P. Spohn	547 - Investor	\$ 30,061.64	12-5133	N/A	Y	\$ 34,330.85		\$ 1,167.50	
49	Bash v. Julie Imhoff	547 - Investor	\$ 60,021.92	12-5134	N/A	Y	\$ 49,789.66		\$ 1,215.00	
50	Bash v. Marie Ebert; Clyde Ebert	547 - Investor	\$ 15,000.00	12-5135	N/A	Paid in Full		\$ 15,000.00	\$ 392.00	
51	Bash v. Schippers	547 - Investor	\$ 25,082.19	12-5136	N/A	Hardship			\$ 487.50	
52	Bash v. Scot W. Kingan; Donald W. Kingan	547 - Investor	\$ 15,105.10	12-5137	N/A	Y		\$ 8,500.00	\$ 883.00	
53	Bash v. Thomas O'Neal	547 - Investor	\$ 19,653.20	12-5138	N/A	Y		\$ 8,000.00	\$ 874.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
54	Bash v. Revocable Trust of Victoria Scaia, Vicktoria Scaia; Lorainne Brienza	547 - Investor	\$ 25,257.68	12-5139	N/A	Hardship			\$ 3,665.00	
55	Bash v. William Barton	547 - Investor	\$ 22,000.00	12-5140	N/A	Y	\$ 22,000.00		\$ 1,068.50	
56	Bash v. Melissa McDowell	FT (Non-Debtor Transfers)	\$ 100,000.00	12-5142	N/A	Partial hardship		25,000.00	\$ 18,276.00	
57	Bash v. Michael Reardon	PENDING APPROVAL	\$ 187,177.75	12-5143	N/A	Y		\$ 38,500.00	\$ 13,392.50	Plus 144,000 shares of National Lampoon Stock
58	Bash v. Davis & Davis Electric, LLC	FT (Non-Debtor Transfers)	\$ 258,301.29	12-5146	N/A	Y		\$ 5,000.00	\$ 11,846.00	
59	Bash v. DW Trailer, LLC; Terry G. Whitesell	FT (Non-Debtor Transfers)	\$ 300,000.00	12-5147	N/A	Y			\$ 1,379.00	\$30,000.00 settlement amount for Case No. 12-5109 also settled these claims.
60	Bash v. Jaffe & Asher LLP	547 - Non-Investor	\$ 87,000.00	12-5150	N/A	Y		\$ 27,500.00	\$ 4,704.00	
61	Bash v. Misty Rice-Baniewicz	FT (Non-Debtor Transfers)	\$ 1,115,484.41	12-5154	N/A	Y		\$ 45,000.00	\$ 4,651.50	
		<b>TOTAL:</b>	<b>\$ 10,262,257.61</b>			<b>TOTAL:</b>	<b>\$ 255,891.55</b>	<b>\$ 943,787.24</b>	<b>\$ 392,808.00</b>	
<b>GROUP B-3 - DEFAULT GROUP B CASES</b>										
1	Bash v. Cedric Rashad	Contract/Loan		11-5203	12-01236			\$ 83,340.48	\$ 2,422.00	
2	Bash v. Alexander Talbott, Inc.	FT (Non-Debtor Transfers)		11-5204	12-01237			\$ 423,515.95	\$ 1,578.00	
3	Bash v. Pointe Leasing, LLC	Contract/Loan		11-5205	12-01238			\$ 385,675.34	\$ 1,626.50	
4	Bash v. Square One design, Inc.	Contract/Loan		11-5207	12-01315			\$ 39,090.86	\$ 1,593.50	
5	Bash v. CargoTrailerUSA.com	FT (Non-Debtor Transfers)		11-5209	12-01239			\$ 68,926.31	\$ 2,463.50	
6	Bash v. Obsidian Conference and Catering Center, LLC (2 of 3 Defendants)	Contract/Loan	\$ 30,000.00	11-5230						Unbilled fees included in the entry for this case in the prior section.
7	Bash v. Blair Kiel Partners Inc.	FT (Non-Debtor Transfers)		11-5231	12-02011			\$ 126,328.96	\$ 5,254.50	
8	Bash v. Durham Capital Corporation	FT (Non-Debtor Transfers)		11-5232	12-01241			\$ 152,452.75	\$ 4,337.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
9	Bash v. Etelco Services, Inc., et al. (1 of 3 defendants)	Contract/Loan	\$ 19,718.75	11-5233						Unbilled fees included in the entry for this case in the prior section.
10	Bash v. Guyer Durham, LLC	FT (Non-Debtor Transfers)		11-5234	12-01242			\$ 268,990.00	\$ 2,558.00	
11	Bash v. J Blanton LLC	FT (Non-Debtor Transfers)		11-5235	12-01243			\$ 634,124.96	\$ 2,772.50	
12	Bash v. My Ghetto Holdings, LLC	FT (Non-Debtor Transfers)		11-5237	12-01244			\$ 305,160.18	\$ 2,315.50	
13	Bash v. Medical Collections Group, LLC	FT (Non-Debtor Transfers)		11-5239	12-01246			\$ 407,412.36	\$ 2,714.50	
14	Bash v. Durham Whitesell & Associates (2 of 3 Defendants)	FT (Non-Debtor Transfers)	\$ 252,650.00	11-5240						Unbilled fees included in the entry for this case in the prior section.
15	Bash v. Car Collector Magazine, LLC; Jeffrey Broadus; RM Classic Car Production, Inc. (2 of 3 defendants)	FT (Non-Debtor Transfers)		12-5017	12-01155					Unbilled fees included in the entry for this case in the prior section.
16	Indianapolis Concours	FT (Non-Debtor Transfers)		12-5018	12-02041			\$ 100,025.01	\$ 2,398.00	
17	Bash v. Bad Boyz Toy Shop, LLC	FT (Non-Debtor Transfers)		12-5021	12-01194			\$ 153,900.00	\$ 2,032.50	
18	Bash v. Black Rock Acquisition Corporation	FT (Non-Debtor Transfers)		12-5022	12-01195			\$ 838,900.00	\$ 1,837.50	
19	Bash v. Cannonball World Evens, LLC	FT (Non-Debtor Transfers)		12-5023	12-01196			\$ 446,181.76	\$ 1,922.50	
20	Bash v. Chairman Cigars, LLC	FT (Non-Debtor Transfers)		12-5024	12-02013			\$ 144,375.00	\$ 2,271.50	
21	Bash v. Champion Trailer Acquisition, LLC; Champion Trailer Company LP; Champion Trailer, Inc.	FT (Non-Debtor Transfers)		12-5025	12-01197			\$ 335,783.36	\$ 1,699.00	
22	Bash v. Durco Leasing, LLC	FT (Non-Debtor Transfers)		12-5028	12-01198			\$ 1,288,650.00	\$ 2,143.50	
23	Bash v. Fashion House, LLC	FT (Non-Debtor Transfers)		12-5030	12-01199			\$ 42,250.00	\$ 1,803.00	
24	Bash v. Rated X Custom Garage, LLC	FT (Non-Debtor Transfers)		12-5033	12-01200			\$ 641,362.01	\$ 1,939.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
25	Bash v. Vizion Enterprises, LLC	FT (Non-Debtor Transfers)		12-5036	12-01201			\$ 309,234.29	\$ 1,838.50	
26	Bash v. Waterway Group Realty, LLC	FT (Non-Debtor Transfers)		12-5037	12-01202			\$ 89,000.00	\$ 2,118.50	
27	Bash v. DC Investments Leasing, LLC	FT (Non-Debtor Transfers)		12-5038	12-01294			\$ 5,795,918.93	\$ 4,007.00	
28	Bash v. DW Leasing Company, LLC	FT (Non-Debtor Transfers)	\$ 4,403,621.98	12-5039	12-02863			\$4,403,621.98	\$ 4,168.00	Proposed findings of fact and conclusions of law entered on 11-16-12
29	Bash v. Evaco Acquisition Corporation	FT (Non-Debtor Transfers)		12-5058	12-01295			\$ 1,017,590.00	\$ 1,550.50	
30	Bash v. Pyramid Coach, Inc.	FT (Non-Debtor Transfers)		12-5062	12-01296			\$ 975,938.40	\$ 1,962.00	
31	Bash v. Timothy Porter and Nina Porter	FT (Non-Debtor Transfers)		12-5063	12-02017			\$ 205,997.77	\$ 3,739.50	
32	Bash v. Aaron Landau	FT (Non-Debtor Transfers)		12-5064	12-01203			\$ 75,000.00	\$ 2,453.50	
33	Bash v. Social Connects	FT (Non-Debtor Transfers)		12-5085	12-01204			\$ 63,500.00	\$ 1,696.00	
34	Bash v. Strategic Sports Agency, Inc.	FT (Non-Debtor Transfers)		12-5087	12-01205			\$ 172,000.00	\$ 1,632.50	
35	Bash v. Obsidian Capital Company, LLC; Timothy Durham; Terry Whitesell (2 of 3 defendants)	FT (Non-Debtor Transfers)	\$ 1,123,097.58	12-5090						Unbilled fees included in the entry for this case in the prior section.
36	Bash v. Speedster Motorcars, Inc.; SpeedsterMotorSales Timothy Durham	FT (Non-Debtor Transfers)	\$ 5,215,366.19	12-5091					\$ 5,166.00	
37	Bash v. Obsidian Leasing Company, Inc.	FT (Non-Debtor Transfers)		12-5092	12-01206			\$ 2,720,414.16	\$ 2,253.00	
38	Bash v. Playa del Racing, Inc.	FT (Non-Debtor Transfers)		12-5093	12-01297			\$ 2,490,433.74	\$ 1,735.00	
39	Bash v. Four Leaf Management	FT (Non-Debtor Transfers)		12-5112	12-02015			\$ 124,835.00	\$ 2,531.50	
40	Bash v. Aesthetic Surgery Center, LLC; Beeson Aesthetic Surgery Institute, LLC	FT (Non-Debtor Transfers)		12-5145	12-02016			\$ 176,000.00	\$ 3,577.50	

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
41	Bash v. DW Trailer, LLC; Terry G. Whitesell (1 of 2 Defendants)	FT (Non-Debtor Transfers)	\$ 300,000.00	12-5147						Unbilled fees included in the entry for this case in the prior section.
42	Bash v. US Rubber Reclaiming, Inc.	FT (Non-Debtor Transfers)		12-5148	12-02018			\$ 22,860,604.18	\$ 5,272.00	
43	Bash v. Impressive Interiors and Designs, Inc.	FT (Non-Debtor Transfers)	\$ 156,500.00	12-5153					\$ 2,564.00	Motion for proposed findings of fact and conclusions of law filed on June 12, 2012.
		<b>TOTAL:</b>	<b>\$ 11,500,954.50</b>			<b>TOTAL:</b>		<b>\$ 48,366,533.74</b>	<b>\$ 95,948.00</b>	
<b>GROUP C - OTHER LITIGATION</b>										
1	Bash v. Daniel Laikin	Contract/Loan	\$ 25,000,000.00	10-5043	N/A				\$ 908,608.50	
2	Bash v. Fair Finance (McKibben litigation)	FT (Non-Debtor Transfers)	\$ 208,000,000.00	10-5038	N/A				\$ 96,239.00	
3	Bash v. National Lampoon	FT (Non-Debtor Transfers)	\$ 9,000,000.00	N/A	N/A				\$ 283,645.50	
4	Bash v. FCS Advisors, Inc. dba Brevet Capital Advisors, et al.	Preference - SETTLED	\$ 1,905,036.00	10-5041	N/A			\$ 575,000.00	\$ 54,980.00	This amount was collected for the estate.
5	Bash v. Jeffrey Osler	FT (Non-Debtor Transfers)	\$1,247,671.91,	11-5020	N/A			\$ 1,247,671.91	\$ 99,188.50	This amount is a default judgment, not an amount collected.
6	Bash v. Obsidian / Diamond	Substantive Consolidation	\$ -	11-5049	N/A			\$ -	\$ 230,559.50	All assets of Obsidian and Diamond assigned to the Trustee.
		<b>TOTAL:</b>	<b>\$ 243,905,036.00</b>			<b>TOTAL:</b>		<b>\$ 1,822,671.91</b>	<b>\$ 1,673,221.00</b>	
<b>GROUP D-1 - INVESTOR PREFERENCE CASES SETTLED W/O LITIGATION</b>										
1	Barbara Doria	547 - Investor	\$ 16,427.49			Y	\$ 41,000.00			Fees from task code B70
2	Charles Duane Sayre	547 - Investor	\$ 45,000.00			Y	\$ 90,000.00			
3	David N. Specter	547 - Investor	\$ 101,528.77			Paid in Full		\$ 101,528.77		
4	Eleanor Shaeffer	547 - Investor	\$ 19,692.66			Y		\$ 15,000.00		
5	James & Marjorie Freeman	547 - Investor	\$ 102,105.48			Paid in Full		\$ 102,105.48		

#	Case Name	Main Claim and Status	Claim Amount	Bankruptcy Case No.	District Case No.	Settled	Amount of Claim Waiver	Settlement Amount or Judgment Amount	Fees through January 31, 2013	Comments
6	Jerry & Barbara Newcomer	547 - Investor	\$ 41,663.56			Y		\$ 20,000.00	\$ 7,418.00	
7	Mahlon Steffen	547 - Investor	\$ 30,235.68			Y	\$ 60,000.00			
8	Marilyn & Wilbur Terhune	547 - Investor	\$ 37,500.00			Y		\$ 33,750.00		
9	Marilyn DeCarlo	547 - Investor	\$ 15,006.16			Paid in Full		\$ 15,006.19		
10	Mark Shapiro	547 - Investor	\$ 25,196.40			Paid in Full		\$ 25,196.40		
11	Robert J. Wright	547 - Investor	\$ 61,144.11			Hardship		\$ 10,000.00		
12	Rosemary Brett	547 - Investor	\$ 23,728.13			Y		\$ 21,356.00		
		<b>TOTAL:</b>	<b>\$ 519,228.44</b>			<b>TOTAL:</b>	<b>\$ 191,000.00</b>	<b>\$ 343,942.84</b>	<b>\$ 7,418.00</b>	
<b>GROUP D-2 - NON-INVESTOR PREFERENCE CASES SETTLED W/O LITIGATION</b>										
1	BCG Systems, Inc.	547 - Non-investor	\$ 80,437.72			250 Hours of Free IT Services			\$ 17,741.00	Fees from task code B68 - Fees also applicable to other non-investors 547 actions.
2	MyOfficeProducts	547 - Non-investor	\$ 11,342.25			Y		\$ 5,500.00		
		<b>TOTAL:</b>	<b>\$ 91,779.97</b>			<b>TOTAL:</b>	<b>\$ -</b>	<b>\$ 5,500.00</b>		
<b>GROUP E - CASES AGAINST INDIANA POLITICIANS RECEIVING DURHAM CONTRIBUTIONS</b>										
1	Zoeller for Attorney General	FT (Non-Debtor Transfers)	\$ 11,000.00			Paid in Full		\$ 11,000.00	\$ 48,870.50	Fees from task code B52
2	Aiming Higher	FT (Non-Debtor Transfers)	\$ 10,000.00			Paid in Full		\$ 10,000.00		
3	Indiana Republican State Committee	FT (Non-Debtor Transfers)	\$ 92,500.00			Y		\$ 87,875.00		
4	Bash v. Committee to Elect Brian Bosma	FT (Non-Debtor Transfers)	\$ 10,000.00	11-5095		Y		\$ 10,000.00		
5	Bash v. House Republican Campaign Committee	FT (Non-Debtor Transfers)	\$ 58,580.00	11-5096		Y		\$ 33,580.00		
6	Bash v. Committee to Elect Paul Ricketts	FT (Non-Debtor Transfers)	\$ 40,000.00	11-5098		Y		\$ 32,000.00		
7	Carl Brizzi and Brizzi for Prosecutor	FT (Non-Debtor Transfers)	\$ 226,616.74			Y		\$ 195,881.70		
8	Bash v. Marion County Republican Central Committee	FT (Non-Debtor Transfers)	\$ 5,000.00	11-5099		Y		\$ 4,250.00		
9	Bash v. Greater Indianapolis Republic Finance Committee	FT (Non-Debtor Transfers)	\$ 27,943.00	11-5100		Y		\$ 23,751.55		
		<b>TOTAL:</b>	<b>\$ 481,639.74</b>			<b>TOTAL:</b>		<b>\$ 408,338.25</b>	<b>\$ 66,393.00</b>	

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<b>GROUP F - OTHER LITIGATION SETTLED PRIOR TO 11/10/2011</b>										
1	Bash v. Richard Hart	Contract/Loan	\$ 317,100.00	10-5160		Y		\$ 312,100.00		Fees billed to general avoidance actions task code B05
2	Bash v. Nathan D. Isen, et al.	Contract/Loan	\$ 47,940.00	10-5162		Paid in Full		\$ 47,940.00		
3	Bash v. Stephen & Linda Plopper	Contract/Loan	\$ 370,999.96	11-5048		Paid in Full		\$ 370,999.96		
4	HSE Hockey Club, Inc.	Contract/Loan	\$ 234,666.75			Hardship		\$ 25,000.00		
5	Gemini Funding	Contract/Loan	\$ 118,051.00			Y		\$ 84,000.00		
6	Riley Bennett & Egloff	FT (Debtor Transfers)	\$ 25,000.00			Y		\$ 22,500.00	\$ 4,609.50	Fees from task code B51
7	Bash v. SCB Bank aka Shelby County Bank	Contract/Loan	\$ 1,077,914.00	11-5128		Y		\$ 260,000.00	\$ 21,041.50	
8	Larry McCrary	PENDING APPROVAL	\$ 71,825.76			Y		\$ 60,000.00	\$ 883.50	
		<b>TOTAL:</b>	<b>\$ 2,263,497.47</b>			<b>TOTAL:</b>		<b>\$ 1,182,539.96</b>	<b>\$ 26,534.50</b>	

**CERTIFICATE OF SERVICE**

A copy of the foregoing has been served via ECF or regular, U.S. Mail, on March 15, 2013, on the attached service list.

*/s/ Brian A. Bash*  
\_\_\_\_\_  
*Chapter 7 Trustee*

## SERVICE LIST

### Electronic Mail Notice List

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

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