

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

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-vs-

Case No. 2:09-cv-229-FtM-29DNF

FOUNDING PARTNERS CAPITAL  
MANAGEMENT CO., WILLIAM L. GUNLICKS  
and PAMELA L. GUNLICKS,

Defendants,

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.

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**ORDER**

This matter comes before the Court on the Investors Motion for Limited Relief from the Stay in Case 09-cv-718 for the Purpose of Adding Additional Party Plaintiff Jerold Glass Living Trust (Doc. #181) filed on December 3, 2009. The Receiver, Daniel S. Newman, filed a Response (Doc. # 184) on December 17, 2009, stating that he did not oppose adding the party as long as the Court ordered Stay otherwise remained in place. The District Court referred the matter to this Court on May 4, 2010. The matter is now ripe for review.

The Investors move the Court to allow the Stay imposed by this Court to be lifted for the limited purpose of allowing the Jerold Glass Living Trust to be added as a party plaintiff the Investor's case Bonewitz v. Edelstein, 09-cv-718-JES-DNF. The Bonewitz case was stayed by

Order of the District Court in the instant case. The Motion is unopposed and therefore, the Court will allow the Stay to be lifted for the limited purpose of allowing the Putative Plaintiff the Jerold Glass Living Trust to move the Court for Leave to File an Amended Complaint and to be added as party in Bonewitz v Edelstein, 09-cv-718-JES-DNF. The Stay will otherwise remain in place and the Putative Plaintiff the Jerold Glass Living Trust is covered by the Court's Stay. No further actions may ensue pending the limited lifting of the Court's Stay.

The Investors failed to include a 3.01(g) certification in their Motion to Lift the Stay for a Limited Purpose. Pursuant to M.D. Fla. Local Rule 3.01(g), the movant must confer with the opposing party to determine if the opposition objects to the requested relief. In the future, failure to file a 3.01(g) certification will result in the automatic denial of any other motions.

Accordingly, it is now **ORDERED**:

The Investors's Motion for Limited Relief from the Stay in this Case for the Limited Purpose of Adding an Additional Party Plaintiff, the Jerold Glass Living Trust, in the case Bonewitz v Edelstein, 09-cv-718-JES-DNF (Doc. #181) is **GRANTED**.

1. The Potential Plaintiff Jerold Glass Living Trust may file a Motion to Amend and Add a Party with the Court in Bonewitz v Edelstein, 09-cv-718-JES-DNF for that Court's consideration.
2. Future failures by the Investors to comply with M.D. Fla. Local Rule 3.01(g) will result in the Motion being denied without further consideration.

**DONE AND ORDERED** at Fort Myers, Florida, this 11th day of May, 2010.

  
SHERI POLSTER CHAPPELL  
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record