

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 91-0986-CIV-GOLD/SIMONTON
Special Master Thomas E. Scott

ALLAPATTAH SERVICES, INC., et al.,)
)
Plaintiffs,)
)
v.)
)
EXXON CORPORATION,)
)
Defendant.)
_____)

RUSSELL A. CLINE,)
)
Plaintiff,)
)
vs.)
)
THE GARDEN CITY GROUP, INC.,)
)
Defendant.)
_____)

**CONSOLIDATED WITH
CASE NO.: 05-21338-CIV-GOLD
/SIMONTON**

**ORDER SETTING HEARING ON ALL PENDING MOTIONS FILED
BY GERALD M. BOWEN AND/OR LAW OFFICE OF GERALD M. BOWEN**

This matter is before the Special Master upon multiple pending motions and requests, as filed by GERALD M. BOWEN and/or LAW OFFICE OF GERALD M. BOWEN (hereinafter, collectively, "Bowen"), more specifically set forth as follows:

A. Gerald Bowen's Request for Cost Reimbursement, consisting of:

- i. Gerald M. Bowen's and/or the Law Office of Gerald M. Bowen's (hereinafter, collectively referred to as "Bowen") three part Interim Cost Request, termed a *Verified Filing of Receipts* [D.E. 4792];
- ii. Bowen's *Request for Expedited Processing by Special Master of Reimbursement Request* [D.E. 5023];
- iii. Judge Gold's *Order of Reference* regarding D.E. 5023 [D.E. 5027];
- iv. Bowen's *Motion for Appropriate Relief* [D.E. 5215];

- v. *Notice of Filing of Gerald M. Bowen's and the Law Offices of Gerald M. Bowen's Combined: 1. Verified Statement that he is Foreclosed by Ethical Duties from Receiving, Accepting or Otherwise Participating in the Proceeds of the Court's July 6, 2006 Fee Award Because of his Personal Knowledge that the Same was Obtained by Fraud and is Mistakenly Premised on False Assumptions Which Were Deliberately Invited by Parties to the Fee Proceedings and Which Remain Extant Due to the Fraud Elicited Corruption of the Judicial Process Which Has Compromised the Court's Integrity. 2. Motion for Appropriate Relief [D.E. 5229];*
- vi. *Judge Gold's Order of Reference regarding Bowen's Motion for Appropriate Relief (D.E. 5215) [D.E. 5230];*
- vii. *Bowen's Motion for Emergency Telephone Hearing Before Special Master Thomas Scott on Motion of Gerald Bowen for Appropriate Relief (Regarding Cost Reimbursement) [D.E. 5289];*
- viii. *Judge Gold's Order Denying Motion to Vacate Order of Reference And For Emergency Hearing [D.E. 5291]; Requesting Special Master to Expedite Report and Recommendation on Motion for Cost Reimbursement and Related Motion [DE 5203 and DE 5215] [D.E. 5299];*

B. Gerald Bowen's Combined Rule 60 and Other Motions, consisting of:

- i. *Bowen's Notice of Combined RULE 60 and Other Motions [D.E. 3988];*
- ii. *Stearns Weaver's Opposition to Bowen's Rule 60(b) Motion to Set Aside July 6, 2006 Order Awarding and Allocating Attorney's Fees Among Class Counsel and Related Motions [D.E. 4023];*
- iii. *The District Court's July 6, 2006 Order on Petitions for an Award of Attorney's Fees, Costs, and Reimbursable Expenses and for Incentive Awards to Named Plaintiffs [D.E. 2997]*

The undersigned hereby sets a one (1) hour specially-set hearing for **Friday, October 17, 2008 beginning at 10:00 a.m.**, at the offices of the undersigned located at Cole, Scott & Kissane, P.A., Dadeland Centre II, 9150 South Dadeland Boulevard, Suite 1400, Miami, Florida 33156, for the purpose of hearing any and all argument and evidence which Bowen wants to present in support of his Rule 60(b) Motion (and other requested relief therein) and in support of his request(s) for cost reimbursement.¹

¹ It is to be noted that Bowen has already had a full hearing on his Rule 60(b) motion on February 6, 2008. He has also been afforded numerous opportunities to present sufficient documentary support for his cost reimbursement requests, and an *in camera* hearing in March, 2007. Nonetheless, an additional opportunity is now provided.

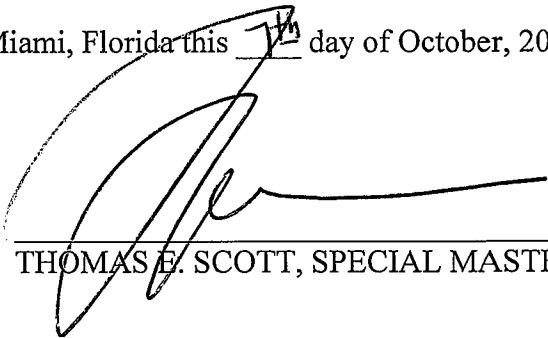
The undersigned specifically informs Bowen to be prepared to present any and all documentary and/or testimonial evidence in support of his pending motions and request(s) on October 17, 2008. However, should Bowen intend to present any documentary evidence and/or live witness testimony using exhibits, the undersigned requires Bowen's physical presence at the hearing. Additionally, any other interested party, such as Class Counsel, States' Counsel, third-party creditors and/or lien holders of Bowen,² are likewise put on notice of the October 17, 2008 hearing and are allowed to present arguments in support of, or opposition to, Bowen and/or Bowen's motions and/or requests.

For those who intend to participate in the hearing by telephone, the following call-in information should be used:

Number: 1-866-590-1534

Participant Code: 49793427#

DONE and ORDERED, in Miami, Florida this 17th day of October, 2008.



THOMAS E. SCOTT, SPECIAL MASTER

Copies furnished to:
United States District Judge Gold
All counsel of record
Garden City Group
Gerald M. Bowen
Kevin Jacobs, Esq.
Thomas J. McKenna, Esq.

² Specifically, those creditors and/or lien holders who have filed notices of liens or other related device with respect to an interest in Bowen's July 6, 2006 Fee Award, or those who have any interest in any Cost Reimbursement he might be awarded.