

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 REINSTATING PREVIOUSLY DISMISSED CLAIM NO. 4470

This cause is before the Special Master pursuant to the letter request served upon the undersigned by, or on behalf of, Claimant Daniel Lewis Hendon (Claim No. 4470) seeking reversal of the dismissal of Claim No. 4470.

Following receipt of the claimant's request, and after a thorough review of the file relating to Claim No. 4470, the undersigned entered the *Order Regarding Previously Dismissed Claim No. 4470 [D.E. 5587]*. Pursuant to this order, the undersigned requested Class Counsel or States' Counsel to serve, by February 10, 2009, any response or objection they might have to the requested reinstatement of Claim No. 4470. As of February 11, 2009, the undersigned did not receive any responses or objections.

The undersigned hereby adopts and incorporates the discussion of the background surrounding this claim and the equities in favor of reinstatement, as set forth in the *Order Regarding Previously Dismissed Claim No. 4470 [D.E. 5587]*. Since no objections were received, and based upon the equities in favor for reinstatement, under the particular facts and circumstances relating to this claim, the undersigned reinstates Claim No. 4470. It is further noted that the claimant provided, on January 20, 2009, what he or his representative deem to be the necessary, sufficient payment instructions for this claim. Those payment instructions are now on file with The Garden City Group, Inc.

Accordingly, it is hereby:

ORDERED AND ADJUDGED as follows:

1. Claim No. 4470 is hereby reinstated. Class Counsel and The Garden City Group, Inc. are directed to continue processing Claim No. 4470, in accordance with the payment instructions provided by the claimant on January 20, 2009.
2. If the payment instructions are deficient, The Garden City Group, Inc. is directed to immediately notify the claimant of said deficiency. The claimant will then have thirty (30) days following such notification to fully cure the deficiency. In the event that the deficiencies are not cured, Class Counsel is directed to notify the undersigned, whereupon the undersigned will dismiss this claim, without any further possibility of reinstatement.

DONE AND ORDERED at Miami, Florida this 13 day of February 2009.



SPECIAL MASTER THOMAS E. SCOTT

Copies furnished to:
United States District Court Judge Alan S. Gold

All counsel of record
Garden City Group, Inc.