

**AFFIDAVIT OF JAMES ANASTOS**

James Anastos, under penalties and perjury, states as follows:

1. I am an adult resident of the State of Illinois.
2. I am competent to testify and offer this affidavit based on my personal knowledge, observations and experience.
3. I am the owner of the property commonly known as 858 W. Lake Street, 1<sup>st</sup> and 2<sup>nd</sup> floor, Chicago, Illinois (the "Subject Property").
4. On or about June 5, 2001, I entered into a lease (the "Lease") with Rosewood Enterprises, Inc., an Illinois corporation doing business as Reserve (also referred to herein sometimes as "Reserve") for the Subject Property.
5. Unbeknownst to me, on April 25, 2007, the U.S. Commodity Futures Trading Commission ("CFTC") initiated this action against Defendants Anthony A. Demasi and Tsunami Capital, LLC, the owners of Reserve and the nightclub Crescendo.
6. In June, 2007, Reserve failed to pay the rent required under the Lease despite repeated demands by myself and my attorneys. Reserve subsequently abandoned the Subject Property in July, 2007.
7. On or about June 23, 2007, I sent Reserve a five-day notice to terminate Reserve's right to "possession" of the lease (the "Notice to Terminate").
8. On or about July 5, 2007, I filed a complaint with the Circuit Court of Cook County under the Forcible Entry and Detainer Act (the "Forcible Action") for possession of the Subject Property based upon Reserve's failure to pay rent. The Forcible Action is known as case number 07 M1 716307.

274951111844037720

**Exhibit A**

9. Shortly after the Forcible Action was filed, attorney Bert Zaczek filed an appearance on behalf of C&V Investments, LLC and Joseph Cacciatore, the new owners of "Reserve." C&V Investments, LLC and Joseph Cacciatore repeatedly represented to me that they owned Reserve and wanted to continue operating in accordance with the terms of the Lease.

10. On July 26, 2007, the Court in the Forcible Action entered an order requiring Reserve to pay me "use and occupancy" for the Subject Property in an amount equal to \$14,578.59, beginning August 1, 2007 and continuing on the first day of each month thereafter.

11. On October 4, 2007, in lieu of trial, Reserve agreed to the entry of an order setting forth a payment schedule for "use and occupancy" of the Subject Property.

12. Shortly thereafter, Reserve resumed operating a nightclub at the Subject Property under the ownership of C&V Investments, LLC and Joseph Cacciatore.

13. Reserve abandoned the Subject Property on or about December 13, 2007.

14. I have been completely responsible for all of the carrying costs for the Subject Property.

16. As a result of C&V Investments, LLC's and Joseph Cacciatore's continued operation of Reserve, I incurred \$170,617.54 in costs, which represents:

a. Rent for December, 2007 in the amount of \$15,729.82

b. Unpaid invoices in the amount of \$15,591.20

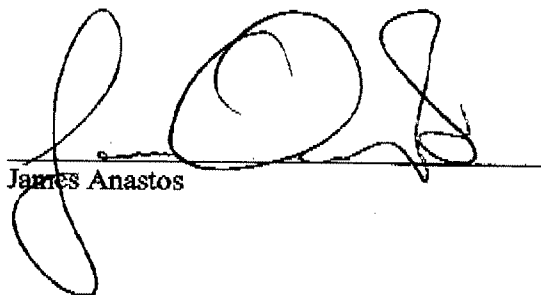
c. Attorneys fees of \$39,296.52; and

d. \$100,000 in costs to reassemble the elevator shaft.

15. To date, none of my damages have been paid. Copies evidencing my damages are attached hereto and incorporated herein as Exhibit 1.

16. While I continue to try to mitigate my damages, as of today's date, my damaged under the Lease are as follows:

FURTHER AFFLIANT SAYETH NOT.



James Anastos

# HALEAS & DEHCO INSURANCE AGENCIES INC.

3940 W. Touhy Avenue • Suite 1 • Lincolnwood, Illinois 60712-1028

TEL: (847) 676-0074

FAX: (847) 676-8166

COSMOPOLITAN BANK @TRUST#11120

C/O

JAMES ANASTOS

P.O. BOX 56470

CHICAGO, IL. 60656

## STATEMENT

DATE 09/28 20 07

DATE	COMPANY POLICY #	DESCRIPTION	CHARGES	CREDITS	BALANCE
	NO CHANGES, SAME INS. CO. ROCKFORD MUTUAL:::~::~:	INSURING PROPERTY LOCATED AT 201-211 NORTH PEORIA 858 W LAKE CHICAGO, IL. 60607	NONE:::~::~:	YES \$300.000 INCREASED ON BUILDING WITH SAME PREMIUM!!!!!!!!!!!!!!!!!!!!	
	ACTUAL(PURE)	ANNUAL PAYMENT:::~::~:			\$16,998.00
	(THE INSPECTION AND EVALUATION CHARGES OF \$525.00; ; ; ARE PAID BY HALEAS @ DEHCO INSURANCE AGENCIES; ; ; ; ;)				
		<u>PAYMENTS</u>			
	ONE PAYMENT:::~::~:				\$16,998.00
		<u>OR</u>			
	FINANCING THE PREMIUM BY UPAC COMPANY:::~::~: AMOUNT NEEDED FOR DEPOSIT, \$3,399.60, REMAINING BALANCE TO BE PAID PLUS THE INTEREST, IN NINE PAYMENTS(SEE STATEMENT) OF \$1,573.87 EACH:::~::~:				

### Notice of Payment Due

UNIVERSAL PREMIUM ACCEPTANCE CORPORATION 913-894-6150

Account Number	Statement Date	Payment Due Date	Amount Due	Payment Number	Late Fee Applied On	Amount Due After 03/24/2008
337993	10/12/2007	03/19/2008	<del>5,523.87</del>	5 of 9	03/24/2008	\$1,852.56

Manage your account 24 hours a day at [www.upac.com](http://www.upac.com)  
UPAC PIN: P337993 Password: 563806

Send this coupon with your payment to ensure proper credit to your account. Payments MUST be received by 3:00pm central time to be posted same day.

roducer: HALEAS & DEHCO INSURANCE AGENC  
847-676-0074

Please make check payable to UPAC. Include your account number on your check and mail to:

COSMOPOLITAN BANK & TRUST #OP1120  
PO BOX 56470  
CHICAGO, IL 60656-0000

UPAC  
P O BOX 212516  
KANSAS CITY MO 64121-2516

00337993 4 0000157387

Exhibit 1



# COOLER SERVICE, INC.

940 W. CHICAGO AVE., CHICAGO, ILLINOIS 60622

PHONE (312) 733-3900 • FAX (312) 733-0032

# STATEMENT

ACCOUNT NO. DATE

RESERVE (BRUNAMI EXP, LLC) (C)  
858 W LAKE  
CHICAGO, IL 60616

05858 12/11/2007

\$ \_\_\_\_\_  
AMOUNT REMITTED

**Call to pay by Mastercard,  
Visa or American Express.**

PLEASE DETACH AND RETURN WITH YOUR PAYMENT

DATE	INVOICE NO.	DESCRIPTION	CHARGES	PAYMENTS	BALANCE
05/01/2007	193250		1,505.00		1,505.00
06/01/2007	196634		1,505.00		3,010.00
07/01/2007	200106		1,505.00		4,515.00
08/01/2007	203641		1,505.00		6,020.00
09/01/2007	207084		1,505.00		7,525.00
10/01/2007	210581		1,505.00		9,030.00
11/01/2007	214081		1,505.00		10,535.00
CURRENT		30 DAYS	60 DAYS	90 DAYS	AMOUNT DUE
0.00		1,505.00	1,505.00	7,526.00	10,536.00

EMPIRE COOLER SERVICE, INC.

*Thank You*



**In Demand Document Services LLC**  
 200 West Adams  
 Suite LL110  
 Chicago, IL 60606  
 312 658-1295

# Invoice

**COPY**

Invoice Date	Invoice #
12/3/2007	9074

Bill To
Chuhak & Tecson Angela Aranda 30 S. Wacker Suite 2600 Chicago, IL 60606

Ship To
Chuhak & Tecson Angela Aranda 30 S. Wacker Suite 2600 Chicago, IL 60606

**Remit Payment To:**  
**In Demand Document Services, LLC**  
 200 W. Adams  
 Suite LL110  
 Chicago, IL 60606

Reference Matter / PO #	Payment Terms	Sales Rep.	Del. Date
17663/34532	Net 10 Days	TY	12/3/2007

Item Code	Description	Quantity	Rate	Amount
OSBW	Oversize B/W Print / Sq. Ft	21	1.50	31.50

<b>Total</b>		\$31.50
<b>Payments/Credits</b>		\$0.00
<b>Balance Due</b>		<b>\$31.50</b>

Terms of payment are ten (10) days from the date of invoice.  
 All delinquent accounts shall bear interest at a rate of 1.5% per month (18% per annum), or the maximum legal rate of interest, if less, commencing eleven (11) days after invoice date.

*Make all checks payable to In Demand Document Services, LLC*

FEIN # 02-0763439

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

**We now accept AMEX, MasterCard & Visa!**



**SilverWare POS Inc.**  
 246 E. Janata Blvd, Suite 115  
 Lombard, IL  
 60148

**INVOICE 00008474**

**DATE: 9/25/2007**

**SILVERWARE**  
SMART POS SOLUTIONS

**SOLD TO:**

Reserve - West Lake  
 858 West Lake Street  
 Chicago IL 60607

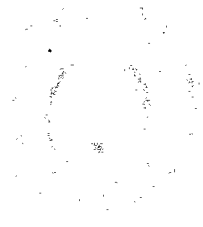
**SHIPPED TO:**

Reserve - West Lake  
 858 West Lake Street  
 Chicago IL 60607

CUSTOMER PO: 13503

QTY	DESCRIPTION	PRICE	AMOUNT
1	ON-SITE SERVICE - September 7, 2007  Training, Configuration and Credit Card Setup  *** New owners re-opening Reserve. Reconfigured IP address on all stations. Test all touchscreens, card readers, printers and cash drawers. All tested ok. Setup Vital high-speed credit card. Provided SilverWare training. ***	\$750.00	\$750.00
Sales Person: STE # 36-4338859		SUB TOTAL	\$750.00
<b>TERMS: Payable upon receipt of invoice</b> <b>Please make cheque payable to SilverWare POS Inc.</b> <b>For your convenience we accept all major credit cards.</b> <b>2% per month late payment fee is charged on all overdue amts.</b>		FREIGHT	\$0.00
		STE	\$0.00
		Total	\$750.00
		Less Deposit:	\$0.00
		<b>Balance Due</b>	<b>\$750.00</b>

**CONDITIONS: All equipment is the property of SilverWare POS Inc. until paid in full.**



City of Chicago  
 The Department of Water Management  
 P.O. Box 6330  
 Chicago, Illinois 60680-6330

**REMINDER  
 NOTICE**

**Customer Service:** 312-744-4H20 or 312-744-4426  
**E-mail:** water@cityofchicago.org  
*Always include your name, account number, and a call back number*  
**Web:** www.cityofchicago.org/watermanagement

**HOTLINE:** Water in your street or basement? Always call 311. Never e-mail.  
**PAY ONLINE:** Pay your bill online from the convenience of your home or office. See back for details.

JAMES ANASTOS

501963-501963

Dec-17-2007

~~\$564.91~~

**Service Address:** 201 09 N PEORIA ST

? 1400<sup>00</sup>



**Your account is seriously** and may have been referred to the Department of Revenue for collection. If payment is not received immediately, your account may be referred to a law firm for collection action which may include: obtaining a judgment against you, placing a lien on your property, and garnishing your wages and bank accounts which may affect your credit.

12172007 0005019630501963 9 0000056491 0000056491 5

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT, ALLOW 5 DAYS FOR PAYMENT BY MAIL

**MAKE CHECK OR MONEY ORDER PAYABLE TO:**  
 City of Chicago  
 The Department of Water Management  
 P.O. Box 6330  
 Chicago, Illinois 60680-6330

**Service Address:** 201 09 N PEORIA ST

501963-501963

Dec-17-2007

~~\$564.91~~

? 1400

0781P1737 \*\*\*\*\*AUTO\*\*E-DIGIT 606  
 JAMES ANASTOS  
 158 W LAKE ST  
 CHICAGO IL 60607-1720

**Amount Paid:** \$ \_\_\_\_\_



12172007 0005019630501963 9 0000056491 0000056491 5



Customer Inquiries 1-866-556-6001  
Emergencies 1-866-556-6002  
En Español 1-866-556-6003  
TDD Line 1-866-556-6007

Bill Date	Account Number	Payment Due Date	Amount Due
12/17/2007	5 5000 3816 6668	01/02/2008	\$1,203.07

Name **Tsunami Express Llc**  
Service Address 858 W Lake ST  
Chicago IL 60607-1720  
Service Classification **Rate 2 - General Service - Heating**

**Activity Since Last Bill**

Previous Balance \$416.70  
Late Payment Charge \$6.13  
Balance **\$422.83**

**Delivery Charge**

Customer Charge \$26.50  
First 100 Therms \$34.11  
Over 100 Therms \$78.72  
\$139.33

**Environmental Charge** \$0.3320 x 697.26 Therms = \$23.15

**Gas Charge** \$0.77770 x 697.26 Therms = \$542.26

**Taxes**

Chicago Municipal Tax \$704.74 x 8.24 % = \$58.07  
State Tax \$704.74 x 0.10 % = \$0.70  
State Gas Revenue Tax \$0.024 x 697.26 Therms = \$16.73  
\$75.50

**Total Current Charges \$780.24**

**AMOUNT DUE \$1,203.07**

**Messages**

At the time of this statement, your account was past due. Please pay \$1,203.07 today. Continual late payments can result in a negative credit rating, deposit requests and even disconnection of service.

You will be charged a security deposit if your payments continue to be late. The deposit, plus interest, will be refunded after you make all payments on time for a 12-month period.

**Current Usage**

Billing Period From 11-13-07 To 12-13-07 30 days

**Meter Reading**

Meter Number P1906122  
Current Estimate 86222 12-13-07  
Previous Estimate 85533 11-13-07  
Difference 689 (100 Cubic Feet)

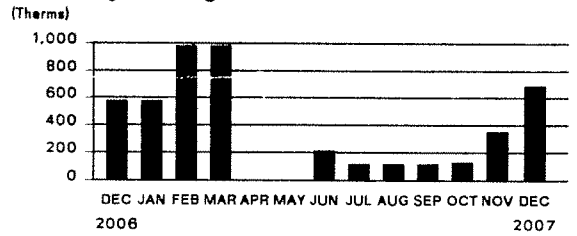
**Therm Conversion**

689 x 1.012 BTU Factor = 697.26 Therms

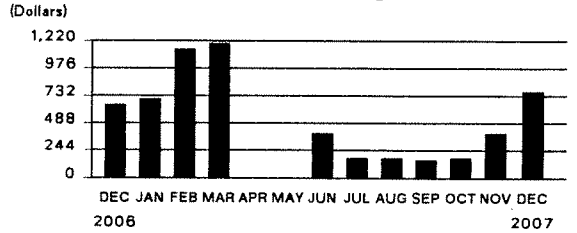
**Average Daily**

	Dec 2006	Dec 2007
Therms Used	20.48	23.24
Temperature	36 °F	32 °F

**Summary of Usage in Therms**



**Summary of Total Current Charges**



The gas charge for December is 77.72 cents per therm and for November it was 77.80 cents per therm. The gas charge reflects how much Peoples Gas pays for gas, which is what you pay.

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

382 PG960E

ACCOUNT NUMBER: 5 5000 3816 6668

<b>Please Pay</b>	<b>\$1,203.07</b>
<b>Late After 01/02/2008</b>	<b>\$1,220.74</b>
<i>Please write your account number on your check.</i>	
Amount Due	Amount Enclosed
<b>\$1,203.07 ?</b>	<input type="text"/>

#BWNNWSD \*\*CAR-RT SORT \*\*C027  
#3000065452#

TSUNAMI EXPRESS LLC  
858 W LAKE ST  
CHICAGO IL 60607-1720

PEOPLES GAS  
CHICAGO IL 60687-0001

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.

445500038166668000050000012030700000



# 2007 First Installment Property Tax Bill

**PAY ONLY THIS AMOUNT**  
**\$ 14,599.54**  
 BY 03/04/08 (on time)

Property Index Number (PIN) 17-08-425-008-0000  
 Volume 590 Code 77020 Tax Year 2007 (Payable to) (2008) Township WEST CHICAGO

IF PAID LATE 03/05/08 - 04/01/08  
**\$ 14,818.53**

IF PAID LATE 04/02/08 - 05/01/08  
**\$ 15,037.52**

IF PAID LATE 05/02/08 - 06/01/08  
**\$ 15,256.51**

**TAX CALCULATOR**

PAY THIS BILL AT [COOKCOUNTYTREASURER.COM](http://COOKCOUNTYTREASURER.COM) OR AT ANY CHASE BANK.

LATE PENALTY IS 1.5% PER MONTH, BY STATE LAW.

2006 TOTAL TAX 29,199.08  
 2007 ESTIMATE X 50%  
 2007 1ST INSTALLMENT  
 = 14,599.54

Property location and classification for this PIN  
 858 W LAKE ST CHICAGO IL 60607 Property Classification 5-92

Cook County Treasurer  
[cookcountytreasurer.com](http://cookcountytreasurer.com)  
 312.443.5100

DEAR FELLOW TAXPAYER,

This 2007 First Installment Property Tax Bill is due on or before Tuesday, March 4, 2008. We now offer more options and more convenience in paying your tax bill - and in checking your tax balance.

Payments may be made:

- Online at [cookcountytreasurer.com](http://cookcountytreasurer.com) - you can now pay two tax years online
- At more than 300 Chase Bank locations across Chicagoland
- At 216 participating Community Banks - list available at [cookcountytreasurer.com](http://cookcountytreasurer.com)

For tax balance, refund and property tax information, join the taxpayers who have made:  
 15 million visits to our Web site - [cookcountytreasurer.com](http://cookcountytreasurer.com)  
 2 million calls to our 24-hour automated phone system at 312.443.5100, which provides support in English, Spanish, and Polish  
 Over 60,000 e-mail inquiries through our Web site by selecting "Contact Us"

In addition, you can check the five previous tax years for available refunds, and view a PIN's exemption history for the previous three tax years by visiting [cookcountytreasurer.com](http://cookcountytreasurer.com).

Sincerely,

*Maria Pappas*  
 Maria Pappas  
 Cook County Treasurer

JAMES ARGYROPOULOS  
 110 N DEE RD  
 PARK RIDGE IL 60068-2813

IF YOUR TAXES ARE PAID BY MORTGAGE ESCROW, BE SURE NOT TO DOUBLE PAY.

**PAYMENT COUPON**  
**\$ 14,599.54**  
 BY 03/04/08 (on time)  
 If paying later, refer to amounts above.

See the reverse side of this bill for detailed payment instructions.  
 Please include only one check and one original payment coupon per envelope. Use of this coupon authorizes Treasurer's Office to reduce check amount to prevent overpayment.

Property Index Number (PIN) 17-08-425-008-0000  
 Volume 590  
 Amount Paid

Name/Mailing Address change? Check box and complete form on back to update your name and/or mailing address.

Include name, PIN, address, location, phone and e-mail on check payable to Cook County Treasurer.

00014599548 170842500800000 00710 00014818538 00015037526 00015256512



JAMES ARGYROPOULOS  
 OR CURRENT OWNER  
 110 N DEE RD  
 PARK RIDGE IL 60068-2813

COOK COUNTY TREASURER  
 PO BOX 4468  
 CAROL STREAM IL 60197-4468



17084250080000/0/07/E/0001459954/1

**CHUHAK & TECSON, P.C.**

ATTORNEYS AT LAW  
30 S. Wacker Drive  
26th Floor  
Chicago, Illinois 60606-7413  
(312) 444-9300  
Fax: (312) 444-9027

December 18, 2007

Dimitri Anastos  
P.O. Box 56470  
Chicago, IL 60656

Client No: 18440  
Invoice No: 187613 JST  
Billed Through: 12/14/2007

***REMITTANCE COPY***

**Matter No: 33780**  
**Lease Dispute**

TOTAL FEES FOR THIS MATTER	\$37,544.50
TOTAL DISBURSEMENTS FOR THIS MATTER	\$1,752.02

**BILLING SUMMARY**

TOTAL NEW CHARGES FOR THIS STATEMENT	\$39,296.52
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**PLEASE REMIT THIS COPY WITH PAYMENT.**

# CHUHAK & TECSON, P.C.

ATTORNEYS AT LAW

30 S. Wacker Drive  
26th Floor  
Chicago, Illinois 60606-7413  
(312) 444-9300  
Fax: (312) 444-9027

FEDERAL TAX I.D. # 36-3502641

December 18, 2007

Dimitri Anastos  
P.O. Box 56470  
Chicago, IL 60656

Client No: 18440  
Invoice No: 187613 JST  
Billed Through: 12/14/2007

**Matter No: 33780**  
**Lease Dispute**

## FOR PROFESSIONAL SERVICES RENDERED

07/10/07	JST	Review of complaint; conference with client	2.00 hrs	\$700.00
07/11/07	JST	Conference with client; review leases	3.50 hrs	\$1,225.00
07/12/07	JST	Review leases; conference with client	1.40 hrs	\$490.00
07/13/07	JST	Conference with client	1.00 hrs	\$350.00
07/14/07	MJG	Interoffice conference with Sam Tenenbaum regarding landlord of Reserve.	0.20 hrs	\$40.00
07/16/07	PAF	Conducted Pacer research per Michael Gilmartin's request on cases #07-2256 and #07-2942 and obtained copies of documents.	1.00 hrs	\$125.00
07/16/07	MJG	Phone conference with Sam Tenenbaum regarding Dimitri (.20); phone conference with clerk (.20); phone conference with Paul (.10); interoffice conference with Danielle (.20).	0.70 hrs	\$140.00
07/16/07	JST	Conferece with client; conference with D. Engle; draft termination notices; review UCC search; review finding - litigation	4.40 hrs	\$1,540.00
07/16/07	DV	Observed status hearing	2.00 hrs	\$150.00
07/17/07	AMW	Meet with S. Tenenbaum; review lease agreement: meet with M. Gilmartin	1.00 hrs	\$250.00
07/17/07	SS1	Conference with attorney Gilmartin and Wolniakowski regarding new matter and status of case.	0.30 hrs	\$66.00
07/17/07	SS1	Review clerk of court's file for status of case.	0.10 hrs	\$22.00

07/17/07	SS1	Research regarding proposed order of possession if defendant fails to appear.	0.20 hrs	\$44.00
07/17/07	PAF	Obtained UCC searches in IL and Cook County for Rosewood Enterprises, Inc.	0.50 hrs	\$62.50
07/17/07	MJG	Review memo on distraint for rent (.70); interoffice conference with Sam Tenenbaum and Anne Wolniakowski (.60); interoffice conference with Sanjay Shivpuri (.40).	1.70 hrs	\$340.00
07/17/07	JST	Conference with Manager; client, Engel regarding status	2.40 hrs	\$840.00
07/17/07	DV	Researched law governing distraint for rent	6.00 hrs	\$450.00
07/18/07	SS1	Conference with attorney Gilmartin regarding handling of court hearing and status of case.	0.40 hrs	\$88.00
07/18/07	SS1	Review Federal Court filings and remainder of file to prepare for court hearing.	0.90 hrs	\$198.00
07/18/07	MJG	Phone conference with Dean Maragos and Sarah Marmer (.40); interoffice conference with Sanjay Shivpuri (.30); phone conference with Sam Tenenbaum (.40); interoffice conference with Sanjay Shivpuri (.20); phone conference with Sam Tenenbaum (.10).	1.30 hrs	\$260.00
07/18/07	JST	Conference calls regarding strategy status	3.00 hrs	\$1,050.00
07/19/07	SS1	Attend court hearing on return date; meet and confer with Dimitri Anastos at courthouse.	1.90 hrs	\$418.00
07/19/07	SS1	Review dockets, temporary restraining orders, and preliminary injunctions in both pending federal court cases.	0.80 hrs	\$176.00
07/19/07	SS1	Multiple extended telephone conferences with Dimitri Anastos.	1.30 hrs	\$286.00
07/19/07	SS1	Telephone conference with attorney Marmor regarding her client's interest in property and proposal.	0.20 hrs	\$44.00
07/19/07	SS1	Telephone conference to attorney Engal regarding status of his clients.	0.10 hrs	\$22.00
07/19/07	SS1	Search Clerk of Cook County's web site for any pending actions between attorney Engal's clients and Anthony Demasi.	0.30 hrs	\$66.00
07/19/07	JST	Conferences with client, Engel; review status;	2.50 hrs	\$875.00
07/20/07	SS1	Telephone conference with attorney Bob Boron regarding eviction possession of property.	0.20 hrs	\$44.00
07/20/07	SS1	Conference with attorney Franklin regarding commercial eviction issues.	0.15 hrs	\$33.00

07/20/07	PKF	Conference with Sanjay Shivpuri; look up status of license, check Reserve's status with the Secretary of State.	1.00 hrs	\$250.00
07/23/07	PKF	Prepare motion for use and occupancy; finalize memo regarding strategy, telephone call with attorney who filed an appearance in the forcible entry and detainer action.	4.00 hrs	\$1,000.00
07/24/07	SS1	Review memos and file to prepare for telephone conference with attorneys Tenenbaum and Franklin.	0.30 hrs	\$66.00
07/24/07	SS1	Telephone conference with attorney Tenenbaum.	0.20 hrs	\$44.00
07/24/07	SS1	Review Federal Court orders in CFTC action regarding prohibition of transferring assets.	0.20 hrs	\$44.00
07/24/07	SS1	Telephone conference with client and attorneys Tenenbaum and Franklin.	0.30 hrs	\$66.00
07/24/07	PKF	Telephone conference with attorney Sam Tenenbaum and Sanjay Shivpuri (.50); follow-up telephone call with client (.50); meeting with client to discuss case, review pictures and review amendment to Lease, finalize motion for use and occupancy and cause same to be filed and served on opposing counsel (1.5 hr)	2.50 hrs	\$625.00
07/24/07	CH	Performed late court filing at municipal district.	0.90 hrs	\$67.50
07/25/07	PKF	Telephone call with Cacciatore's attorney; telephone call with client; follow-up telephone call with Cacciatore's attorney; prepare letter to judge in forcible court with a copy of motion for use and occupancy.	1.00 hrs	\$250.00
07/25/07	JST	Conferences with client, Engel; review status	2.50 hrs	\$875.00
07/26/07	PKF	Prepare for and attend court (2.5); follow-up telephone call with client (.30); status memo to file (.50).	3.30 hrs	\$825.00
07/27/07	PKF	Telephone call with Paul Cotter, attorney for some of the investors; check on line to see whether any additional motions were filed in CFTC case; telephone call to client regarding same.	0.70 hrs	\$175.00
07/31/07	PKF	Conference call with attorney Sam Tenenbaum regarding case; follow-up telephone call with CFTC's attorney regarding upcoming motions; review motion for rule to show cause and motion to appoint a trustee; directions to law clerk to attend hearing and background of case; telephone call with attorney for investors.	3.50 hrs	\$875.00
08/01/07	PKF	Telephone call with Don Engle (Vogel and Cacciatore's attorney); telephone call with client; telephone call with law clerk regarding hearing.	1.00 hrs	\$250.00
08/01/07	EL	Observed status hearing before Judge Gettleman regarding disputes between CFTC and Demassi/Tsunami.	1.50 hrs	\$112.50

08/01/07	EL	Observed CFTC's motion regarding Rule to Show Cause and Receivership.	2.00 hrs	\$150.00
08/02/07	PKF	Email to attorney Sam Tenenbaum regarding status of case; telephone call with client regarding same; follow-up conference with law clerk regarding tomorrow's hearing.	0.70 hrs	\$175.00
08/03/07	PKF	Conference with clerk regarding today's hearing; Follow-up with attorney Sam Tenenbaum; follow-up telephone call with client regarding use and occupancy.	0.70 hrs	\$175.00
08/07/07	JST	Conferences with client, Engel, review status of telephone conference.	2.40 hrs	\$840.00
08/08/07	PKF	Telephone call to client regarding status and preparation of a continuing default letter; prepare default letter; telephone call to liquor commission regarding status of violations against the license; check the Federal Docketing system to see whether any further pleadings have been filed in this case regarding CFTC's claim and the Rule to Show Cause against Cacciatore.	1.50 hrs	\$375.00
08/09/07	PKF	Telephone call with Sam Tenenbaum; modify letter regarding default on additional grounds; prepare letter to alderman; telephone call with Cacciatore's attorney; telephone call with client regarding same.	2.00 hrs	\$500.00
08/15/07	PKF	Follow-up telephone call to liquor license commission regarding freedom of information request; prepare freedom of information request and forward same to liquor license commission; follow-up email to attorney Sam Tenenbaum and client.	0.50 hrs	\$125.00
08/15/07	JST	Conference with Engel and client	1.20 hrs	\$420.00
08/16/07	PKF	Review response to freedom of information request; telephone call to liquor license commission regarding same; forward same to client.	0.40 hrs	\$100.00
08/17/07	PKF	Telephone call to Don Engel (Cacciatore's attorney) regarding scheduling a meeting for next week; follow-up email to attorney Sam Tenenbaum regarding same.	0.40 hrs	\$100.00
08/20/07	PKF	Check federal docket regarding upcoming court dates; follow-up email to attorney Sam Tenenbaum regarding 8/22 status in the CFTC case.	0.30 hrs	\$75.00
08/21/07	PKF	Conference with clerk regarding today's status hearing; follow-up with attorney Sam Tenenbaum regarding same; check federal court docket to pull pleadings referenced at hearing concerning motion to change signatories on bank account for Reserve.	0.50 hrs	\$125.00
08/27/07	PKF	Telephone call with client regarding construction on premises and use and occupancy payment; update attorney Sam Tenenbaum regarding status; prepare letter to Reserve's attorney regarding 9/1 use and occupancy payment.	0.80 hrs	\$200.00

08/31/07	PKF	Telephone call with Sam Tenenbaum regarding liquor license issues; email to liquor license control commission regarding status of change of officer application; telephone call with Cacciatore's attorney; follow-up with Sam Tenenbaum regarding use and occupancy check.	1.00 hrs	\$250.00
08/31/07	JST	Conference regarding opening by Engel group, strategy.	1.00 hrs	\$350.00
09/04/07	PKF	Telephone call with client; email to Cacciatore's attorney requesting confirmation that check is for use and occupancy and not rent; review and forward attorney Engel's response to email concerning memo on check.	0.50 hrs	\$125.00
09/05/07	PKF	Telephone call with client; prepare continuing default letter; check status of federal case; telephone call to liquor commission regarding status of Cacciatore's application.	2.00 hrs	\$500.00
09/05/07	JST	Attend court hearing	2.00 hrs	\$700.00
09/12/07	JST	Conference with Robert Rothstein	1.00 hrs	\$350.00
09/18/07	JST	Meeting with client and opposing parties	2.00 hrs	\$700.00
09/19/07	PKF	Meeting with client; joint meeting with client, Bob Vogel, Joe Cacciatore and Sam Tenenbaum; review existing lease and draft term sheet; follow-up telephone call with client re same.	3.70 hrs	\$925.00
09/20/07	PKF	Further modifications to term sheet; follow-up with attorney Sam Tenenbaum regarding RFMA; forward term sheet to client for review; telephone call to Roger Rubinelli regarding moratorium issues; review email from client concerning Demasi's removal of the elevator.	1.00 hrs	\$250.00
09/20/07	JST	Meeting with client; meeting with opposing parties	3.00 hrs	\$1,050.00
09/21/07	PKF	Review voice mail from client concerning term of new lease; telephone call with client regarding same; modify term sheet accordingly; telephone call with Sam Tenenbaum regarding term sheet; further modifications to term sheet; email correspondence to Joe Cacciatore, Bob Vogel and Don Engle regarding same.	1.00 hrs	\$250.00
09/24/07	PKF	Review email from Reserve's attorney; follow-up with Sam Tenenbaum; get file ready for trial; telephone call with client regarding same; again request copy of documents transferring ownership of Reserve to Cacciatore and Vogel.	1.50 hrs	\$375.00
09/25/07	PKF	Multiple emails and telephone calls with opposing counsel and attorney Sam Tenenbaum; telephone call with client; court appearance; follow-up email to attorney Sam Tenenbaum regarding same.	2.00 hrs	\$500.00
09/25/07	JST	Conference with Phyllis Franklin regarding status	0.80 hrs	\$280.00



09/27/07	PKF	Review and respond to email from Joe Cacciatore; follow-up with Sam Tanenbaum regarding same; telephone call to client regarding same; review certificate of insurance for property; telephone call to liquor license commission regarding status of Reserve's PPA license and applying for a new license.	1.50 hrs	\$375.00
10/02/07	PKF	Meeting at Reserve with client, Bob Vogel and Joe Cacciatore; follow-up telephone call with client regarding same; check status of federal case on docketing system.	2.70 hrs	\$675.00
10/02/07	JST	Meeting with Cacciatore regarding settlement	2.00 hrs	\$700.00
10/03/07	PKF	Multiple telephone calls and emails with client, attorney Sam Tenenbaum and client regarding proceeding to trial on 10/04.	0.50 hrs	\$125.00
10/04/07	PKF	Telephone call with client; telephone call with opposing counsel; prepare for trial; attend "trial" appearance; follow-up email to client regarding same.	3.00 hrs	\$750.00
10/04/07	JST	Prepare for trial and attend court hearing	3.00 hrs	\$1,050.00
10/10/07	PKF	Review voice mail from attorney Sam Tenenbaum; check federal docket regarding recent orders and pleadings; pull all pleadings related to CFTC's renewed motion for a receiver; skim pleadings; follow-up email to attorney Sam Tenenbaum regarding same.	1.50 hrs	\$375.00
10/10/07	JST	Review net worth issue regarding Goldman Sachs; conference with client regarding same.	1.50 hrs	\$525.00
10/15/07	JST	Conference with client; review emails	2.00 hrs	\$700.00
10/25/07	JST	Review federal pleadings	1.50 hrs	\$525.00
10/26/07	JST	Prepare and appear at hearing, review court order.	2.00 hrs	\$700.00
10/29/07	JST	Conference with client and review talking points	1.80 hrs	\$630.00
11/01/07	PKF	Telephone call with client regarding October 31 and November 1 payment; review order; follow-up email to attorneys for Rosewood regarding same; review court docketing statement for federal case for any updates; telephone call with Cacciatore's attorneys regarding same.	1.00 hrs	\$250.00
11/01/07	JST	Conference with client regarding strategy regarding lack of payment	1.50 hrs	\$525.00
11/02/07	PKF	Telephone call with attorney Sam Tenenbaum regarding how to proceed in light of Tenant's failure to pay rent for October and November, 2007; conference call with attorney Sam Tenenbaum and client regarding same; telephone call to Judge regarding scheduling emergency motion; prepare and finalize emergency motion for emergency possession with exhibits; prepare correspondence to Judge enclosing courtesy copies; forward copy to attorney Sam Tenenbaum	3.50 hrs	\$875.00

and client; telephone call with opposing counsel regarding same.

11/02/07	JST	Conference with client, prepare pleading regarding lack of payment.	2.00 hrs	\$700.00
11/05/07	PKF	Telephone call with client regarding court appearance (.50); appear in court for emergency motion for possession (1.20 hr); prepare agreed order; discuss same with attorney Sam Tenenbaum; forward same to client and opposing counsel (.80); multiple follow-up telephone calls with opposing counsel and client regarding execution and cause entry of order (1hr).	3.50 hrs	\$875.00
11/12/07	PKF	Telephone call with client; pull recently filed motions and orders filed in CFTC case, review same and forward to client and attorney Sam Tenenbaum; follow-up email to Caccitore's attorney regarding use and occupancy payment.	1.40 hrs	\$350.00
11/12/07	JST	Review federal pleadings	1.80 hrs	\$630.00
11/30/07	PKF	Telephone call with CFTC regarding forcible case; follow-up conference call with CFTC attorney and Sam Tenenbaum regarding case; telephone call with Cacciatore's attorney regarding use and occupancy; telephone call with Cacciatore; follow-up conference call with Sam Tenenbaum and Dimitri regarding same.	1.30 hrs	\$325.00

TOTAL FEES FOR THIS MATTER	\$37,544.50
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#### DISBURSEMENTS

07/18/07	Vendor CLERK OF THE CIRCUIT COURT; Invoice # 74644; Filing Fees	\$143.00
07/25/07	Vendor CT CORPORATION; Invoice # 3639975-RI; Other Expenses	\$108.00
09/27/07	Vendor SAM TENENBAUM; Invoice # 75821; Local Transportation 8/30/07	\$16.00
10/16/07	Vendor SAM TENENBAUM; Invoice # 76102; Local Transportation	\$8.00
10/26/07	Vendor PHYLLIS FRANKLIN; Invoice # 76339; Local Transportation	\$7.00
11/14/07	Vendor PHYLLIS FRANKLIN; Invoice # 76655; Local Transportation	\$5.00
12/14/07	Photocopy Expenses	\$19.60
12/14/07	Fax Expenses	\$2.00
12/14/07	Inhouse Messenger	\$909.00
12/14/07	Messenger Expense	\$20.70
12/14/07	Long Distance Telephone	\$513.72

TOTAL DISBURSEMENTS FOR THIS MATTER	\$1,752.02
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#### BILLING SUMMARY

TOTAL FEES	\$37,544.50
TOTAL DISBURSEMENTS	\$1,752.02
TOTAL CHARGES FOR THIS BILL	\$39,296.52