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MAY 12 2014

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

HILLMAN ET AL.

CIVIL ACTION NO. 6:14-CV-816

VERSUS

JUDGE DOHERTY

H. I. G. CAPITAL LLC ET AL.

MAGISTRATE JUDGE HILL

PARTIAL JUDGMENT

A Report and Recommendation has been submitted to this Court by the Honorable Robert Summerhays, United States Bankruptcy Judge. No objections have been filed. The Court concludes the Report and Recommendation of the bankruptcy judge is correct. Accordingly;

IT IS ORDERED that the Second Motion to Dismiss¹ filed by defendants H. I. G. Capital, LLC, H. I. G. Gulf Fleet Acquisition, LLC, H. I. G. GP-II, Inc., H. I. G. Capital Partners IV, LP, H. I. G. Advisors, IV, LLC, Gulf Fleet Tiger Acquisition, LLC, Gulf Fleet Tiger Holdings, Inc., Anthony Tamer, Jeff Zonarini, and Jonathan Fox is **GRANTED IN PART and DENIED IN PART** as follows:

1. **Counts 1 and 2:** the motion is **GRANTED**;
2. **Count 3:** the motion is **DENIED**;
3. **Counts 4 and 5:** the motion is **DENIED**;
4. **Count 6:** the motion is **GRANTED**;
5. **Counts 7 and 8:** the motion is **DENIED**;
6. **Count 9:** the motion is **DENIED**;

¹See *Goodman v. H.I.G. Capital, LLC, et al.*, Adversary No. 11-05006, United States Bankruptcy Court, Western District of Louisiana, Doc. No. 75.

7. **Count 10:** the motion is **DENIED**;
8. **Count 11:** the motion is **GRANTED** with respect to the claim based on the \$5.5 million GF Financing note, and **DENIED** with respect to the claim based on the \$2.9 million GF Financing note;
9. **Counts 12 and 13:** the motion is **DENIED**;
10. **Count 14:** the motion is **DENIED**;
11. **Count 15:** the motion is **DENIED**;
12. **Count 16:** the motion is **DENIED**;
13. **Count 17:** the motion is **GRANTED**;
14. **Counts 18 and 19:** the motion is **DENIED**;
15. **Counts 20 and 21:** the motion is **DENIED**.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 12 day
of May, 2014.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE