

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Ann Marie Delia, William Delia, Robert
Sweeney, Veronica Sweeney, Tara Sroka
f/k/a/ Tara Sweeney, and Ludvig Haugedal,

CV-08-4758(CPS)(SMG)

Plaintiffs,

ORDER OF
ATTACHMENT

- against -

The Leverage Group, Leverage Option
Management Co., Inc., Leverage Management
LLC, North American Financial, Philip
Barry LLC, Philip Barry, HK Holdings,
LLC, and Joseph's Development Corporation,

Defendants.

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Plaintiffs moved the Court for an Order of Attachment pursuant to Rule 64 of the Federal Rules of Civil Procedure and Article 62 of New York Civil Practice Law and Rules. The Court has found that, (1) Plaintiffs have a cause of action against the Defendants; (2) Plaintiffs are likely to succeed on the merits of their cause of action; (3) grounds for attachment exist because Defendants have assigned, disposed of, encumbered or secreted property, or are about to do so, with the intent to defraud creditors or frustrate the enforcement of a judgment that might be rendered in Plaintiffs' favor; (4) the amount Plaintiffs demand from Defendants exceeds all counterclaims known to Plaintiffs.

For these reasons, as supported by the showings of law and fact in Plaintiffs' motion for an order of attachment, the memorandum of law in support of the motion, and all exhibits

attached thereto, and considering the arguments of counsel, it is hereby ORDERED that:

1. Plaintiffs' motion for an order of attachment is granted.

2. The amount to be secured by this order is \$913,733.

3. The United States Marshal for the Eastern District of New York, or any person appointed to act in his place and stead, shall levy upon the monies, properties, and/or interests in property, personal properties, or debts owing to Defendants Philip Barry, Philip Barry LLC, The Leverage Group, Leverage Option Management Co., Inc., Leverage Management, LLC, and North American Financial to satisfy the obligation contemplated by this order. Such levy shall include, without being limited to, the interests in real property attributable to one or more of the above named defendants, as listed in Attachment A to this Order.

4. The United States Marshall for the Eastern District of New York, or any person appointed to act in his place and stead, shall, for the purpose of satisfying any judgment that may be obtained against the Defendants in this action, pay or deliver to the Clerk of this Court all funds, monies, properties, interests, and obligations levied pursuant to this order.

5. A copy of this Order shall be filed by (1) the United States Marshall for the Eastern District of New York, or any person appointed to act in his place and stead, (2) the Sheriff of any county in New York State, or any person appointed to act

in his place and stead, or (3) by Counsel for Plaintiffs, or any person requested to do so by Counsel for Plaintiffs in each county in which Defendants Philip Barry, Philip Barry LLC, The Leverage Group, Leverage Option Management Co., Inc., Leverage Management, LLC, or North American Financial own property.

6. This Order shall be effective until further Order of this Court.

SO ORDERED.

Dated : Brooklyn, New York
February 2, 2009

By: /s/ Charles P. Sifton (electronically signed)
United States District Judge

ATTACHMENT A - DESCRIPTION OF PROPERTIES

<u>Municipality</u>	<u>Lot and Block Number</u>	<u>Office Where Record is Kept</u>	<u>Where Recorded</u>
1. Thompson	Section 59, Block 1 Lot 26.4	Sullivan Co. Clerk	Liber. 1213 of Deeds p. 177
2. Thompson	Sec. 59, Bl. 1, Lot 32	Sullivan Co. Clerk	Liber. 1224 of Deeds p. 270
3. Thompson	Sec. 59, Bl. 1, Lot 55.3	Sullivan Co. Clerk	Liber. 1231 of Deeds, p. 167
4. Thompson	Sec. 60, Bl. 1, Lot 23	Sullivan Co. Clerk	Liber. 1249 of Deeds, p. 136
5. Thompson	Sec 59, Bl. 1, Lot 55.6	Sullivan Co. Clerk	Liber. 1262 of Deeds p. 192
6. Thompson	Sec. 62, Bl. 5, Lot 3 Sec. 62, Bl. 4, Lot 3.2 Sec. 62, Bl. 4, Lot 3.3	Sullivan Co. Clerk	Liber. 1278 of Land Records, p. 329
7. Forestburgh	Sec. 3, Bl. 1, Lot 2.7	Sullivan Co. Clerk	Liber. 1285 of Deeds p. 71
8. Forestburgh	Sec. 6, Bl. 2, Lot 36.56	Sullivan Co. Clerk	Liber. 1327 of Deeds p. 64
9. Thompson	Sec. 62, Bl. 1, Lot 8 Sec. 62, Bl. 1, Lot 10.1 Sec. 62, Bl. 1, Lot 13 Sec. 62, Bl. 4, Lot 3.1	Sullivan Co. Clerk	Liber. 1348 of Deeds p. 381
10. Thompson	Sec. 59, Bl. 1, Lot 55.2	Sullivan Co. Clerk	Liber. 1348 of Deeds p. 552
11. Cohecton	Sec. 4, Bl. 1, Lot 22	Sullivan Co. Clerk	Liber 1588 of Land Records, p. 5
12. Forestburgh	Sec. 3, Bl. 1, Lot 2.98	Sullivan Co. Clerk	Liber 1759 of Land Records, p. 185
13. Thompson	Sec. 60, Bl. 1, Lot 9.2	Sullivan Co. Clerk	Liber. 1822 of Land Records, p. 227
14. Thompson	Sec. 59, Bl. 1, Lot 55.5	Sullivan Co. Clerk	Liber. 1893 of Land Records, p. 341
15. Thompson	Sec. 59, Bl. 1	Sullivan Co. Clerk	Liber. 1895 of Deeds

16. Thompson	Lot 54.1 Sec. 49, Bl. 1, Lot 7.2 Sec. 49, Bl. 1 Lot 14.1 Sec. 60, Bl 1 Lot 20.1	Sullivan Co. Clerk	p. 80 Liber. 1954 of Land Records, p. 162
17. Thompson	Sec. 61, Bl. 1, Lot 11	Sullivan Co. Clerk	Liber. 2019 of Land Records, p. 153
18. Thompson	Sec. 61, Bl. 1, Lot 25	Sullivan Co. Clerk	Liber. 2063 of Land Records, p. 393
19. Thompson	Sec. 61, Bl. 1, Lot 19.3	Sullivan Co. Clerk	Liber. 2064 of Land Records, p. 519
20. Thompson	Sec. 61, Bl. 1 Lot 37 Sec. 61, Bl. 1 Lot 40	Sullivan Co. Clerk	Liber. 2089 of Land Records, p. 453
21. Thompson	Sec. 60, Bl. 1 Lot 9.3	Sullivan Co. Clerk	Liber. 2114 of Land Records, p. 103
22. Thompson	Sec. 61, Bl. 1 Lot 10.6	Sullivan Co. Clerk	Liber. 2142 of Land Records, p. 32
23. Forestburgh	Sec. 3, Bl. 1, Lot 2.6	Sullivan Co. Clerk	Liber. 2144 of Land Records, p. 592
24. Forestburgh	Sec. 6, Bl. 2 Lot 36.41	Sullivan Co. Clerk	Liber. 2263 of Land Records, p. 74
25. Brasher	Sec. 17.004, Bl. 3 Lot 8	St. Lawrence Co. Clerk	Deed Book 1068 p. 1019
26. Brooklyn	477 82 nd Street	Kings Co. Clerk	
27. Brooklyn	8126 5 th Avenue Block 5998, Lot 51	Kings Co. Clerk	