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EDEN & BEAUDINE, LLP

CIRCUIT COURT OF THE  
18TH JUDICIAL CIRCUIT, IN AND  
FOR SEMINOLE COUNTY, FLORIDA

IN RE:

Assignment for the Benefit of Creditors of  
AMERICA'S FIRST HOME, LLP,  
a Florida limited liability partnership,

CASE NO: 07-CA-4379-16-L

Assignor,

to

LEWIS B. FREEMAN,

Assignee.

ORDER ON MOTION BY ASSIGNEE FOR ORDER AUTHORIZING REJECTION  
OF CERTAIN UNEXPIRED LEASES, NUNC PRO TUNC TO ASSIGNMENT DATE

THIS CASE came on for hearing on January 28, 2008 (the "Hearing"), upon the motion of Lewis B. Freeman, Assignee ("Assignee"), pursuant to Florida Statute Section 727.108(5), to reject certain unexpired nonresidential real property leases or personal property (the "Leases"), filed with the Court on January 14, 2008 (the "Motion"). At the Hearing, counsel for the premises located at Dyson Road ("Dyson Road Landlord") voiced an objection but announced an agreement with the Assignee which is reflected in this Order. Upon consideration of the Motion and the proffer made at the Hearing, it is

**ADJUDGED** that the Assignee is authorized to reject the following nonresidential, real property leases, *nunc pro tunc*, to December 21, 2007:

- (1) Lease of commercial space at 235 Dyson Road, Haines City, Florida 33844-8246 with landlord Edward Meixsell;
- (2) Lease of commercial space at 4214 Cleveland, Fort Myers, Florida 33901 with landlord Manipa Enterprises, LLC;

(3) Lease of commercial space at 4218 Cleveland, Fort Myers, Florida 3901 with landlord Manipa Enterprises, LLC;

(4) Lease of commercial space at 5451 Lee Street, Lehigh Acres, Florida 33936 with landlord Hook and I, LLC.

**ADJUDGED** that the Assignee is authorized to reject the following personal property leases, *nunc pro tunc*, to December 21, 2007:

(1) US Bancorp;

(2) Key Equipment Finance; and

(3) CIT Technology Financial Services.

**ADJUDGED** that creditors who may assert an unsecured claim against the estate resulting from the rejection of the Leases are required to file a proof of claim by delivering the claim to the Assignee at the address listed on the proof of claim not later than April 20, 2008 ("Rejection Claim").

**ADJUDGED** that the Assignee shall serve a copy of this Order on the holders of the Leases, along with a blank Proof of Claim form for their use in filing their Rejection Claim, with a certificate of service to be filed with the Clerk of the Court.

**ADJUDGED** that neither this Order nor the granting of the Motion, shall impact or have any bearing upon the Dyson Road Landlord's administrative claim for the period from the commencement of this case until the date of the Hearing.

**DATED** this 14<sup>th</sup> day of February 2008.

/s/ John D. Galluzzo

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**HONORABLE JOHN D. GALLUZZO**  
Circuit Court Judge

Copies to:

Assignee: Lewis B. Freeman, c/o Daniel Stermer, 6600 NW 16th Street, Suite 11, Plantation, FL 33313;

Assignee's Counsel: R. Scott Shuker, Esq., Latham, Shuker, Eden & Beaudine, LLP, P. O. Box 3353, Orlando, FL 32802;

Christopher C. Skambis, the Skambis Law Firm, 715 Vassar Street, Orlando, Florida 32804;

Edward Meixsell, Post Office Box 1263, Longwood, Florida 32752-1263;

Manipa Enterprises, LLC, Attn: Charles N. Swartz, 888 North Town & River Drive, Fort Myers, Florida 33919;

Randy Krise, CCIM, Krise Commercial Group, LLC, 4224 Cleveland Avenue Suite 1, Fort Myers, Florida 33901;

Hook and I, LLC c/o Tammy Elmore, RE/MAX Realty Group, 7980 Summerlin Lakes Drive, Suite 201 Fort Myers, Florida 33907;

Hook and I, LLC, Attn: Constance Keller, 19783 Beaulieu Court, Fort Myers, Florida 33908;

Miracle Plaza FM, LLC, 4224 Cleveland Avenue, Suite #1, Fort Myers, Florida 33901; and

CIT Technology Financial Service Inc (EL), Attn: Customer Service, Customer No 2000091160, P.O. Box 550599, Jacksonville, Florida 32255-0599;

Key Equipment Finance, Attn: President/Gen Mgr, Acct 591052645, 600 Travis Street, Suite 1300, Houston, TX 77002;

US Bancorp, Attn: President/Gen Mgr, Office Equipment Fin Svcs/Acct 579138, 1310 Madrid Street, Suite 101, Marshall, MN 56258;

All parties who have filed a notice of appearance (service by Assignee's Counsel)