
HDH ADVISORS LLC

Richard Gaudet

With thirty-five years of experience in commercial banking, distressed debt management, and corporate turnaround, Richard leads a financial advisory practice providing services to a wide range of clients including business owners, real estate developers, and community and regional banks.

- Community Bank advisory in re-capitalization, holding company restructure, audit and regulatory exam preparation, distressed debt management, and board level strategic planning.
- Loan and ORE Portfolio valuation for purposes of FDIC assisted acquisitions and loss reserve validation.
- Advise community and regional banks in Loss Share procedures and implementation of accounting and reporting protocol under Loss Share.
- Settlement/restructure negotiations with lenders, trade creditors, and the Internal Revenue Service on commercial and real estate transactions.
- Bankruptcy advisory, representing both debtors and creditor committees
- State court receivership
- Chief Restructuring Officer (Bankruptcy and non-Bankruptcy)
- Assignee under Georgia assignment for the benefit of creditors
- Sell side and buy side merger and acquisition
- Distressed debt acquisition and servicing
- Sale of distressed debt
- Corporate liquidations
- Dispute resolution
- Expert Witness testimony on matters involving distressed asset resolution and Banking practices.
- Expert Witness on cram-down interest rates and plan feasibility

Having represented both debtors and creditors in complex negotiations, Richard understands the goals of both parties in a negotiation and is able to quickly bring the parties to an amicable and workable agreement.

Relevant Experience

HDH Advisors, LLC 2013 – Present
Managing Director, Atlanta, Georgia

Financial Advisory Practice focused on distressed asset resolution and corporate turnaround, including debt restructure, bankruptcy, and chief restructuring officer (“CRO”) services. Additionally, the practice represents community bank clients in the strategic planning for economic recovery in changing market and regulatory environments.

Business Appraisal, Litigation Support and Consulting

ATLANTA | 2002 Summit Boulevard, Suite 950, Atlanta, Georgia 30319 | 770-790-5000
DES MOINES | 1601 22nd Street, Suite 305, West Des Moines, Iowa 50266 | 515-225-3796

Richard Gaudet

Relevant Experience (continued)

GlassRatner Advisory & Capital Group 2004-2013

Principal, Atlanta, Georgia

Managed a broad based financial advisory practice providing services to over 300 clients. While at GlassRatner, Richard developed a significant regional advisory practice servicing clients in a wide range of industries throughout the Eastern United States in the resolution of distressed debt totaling in excess of \$20 Billion. The practice served a diverse client base consisting of real estate developers and investors, manufacturing companies, Banks, and the FDIC.

Wachovia Bank, N.A.

Manager Special Assets, 1997 - 2004

Managed special assets department with emphasis on credit quality improvement, loss mitigation and client retention. Consistently delivered resolution and efficiency rates above the corporate average.

- Criticized asset resolutions of over \$1 Billion with net losses of under \$35 Million.
- Client retention rate of 65% on commercial accounts in excess of \$5 Million.
- Lowest average overhead ratio in the corporation with average cost of resolution per asset of under \$1,000.
- No employee turnover versus a division average of 12% per annum.
- Managed non-loan defensive litigation resulting in settlement of several complex claims totaling over \$100 Million with total settlement costs of under \$5 Million.
- Developed departmental expertise to offer consultation to line bankers in a wide range of areas including cash management, securitized lending, probate, and non-conventional loan structuring.
- Instituted a proactive approach for early identification of problem accounts which enabled Special Assets to become involved in the early stages of a problem, thus improving the probability that relationships could be salvaged rather than liquidated.

Business Process Analyst, 1995-1997

Temporary assignment assisting in the design, development and successful deployment of a client server software application for use by special assets officers in the management of problem loans and OREO. The intuitive nature of the system resulted in subsequent enhancement and adoption as the primary underwriting and portfolio management system of the commercial bank.

Special Assets Officer, 1991-1995

Responsible for the successful collection, renegotiation, rehabilitation and/or liquidation of commercial, asset based, and real estate loans. Additional responsibilities included the management of a \$20 Million portfolio of charged off commercial loans and acting as bulk sale coordinator of four sales totaling \$200 Million.

Richard Gaudet

Hibernia National Bank 1985-1991
Baton Rouge, Louisiana

Special Assets Officer, 1985-1991

Managed a Special Asset portfolio with emphasis on commercial loans and residential real estate developments. Additional responsibilities included the formation and administration of a residential construction loan department; co-chairmanship of the special asset division loan committee; membership on the real estate, commercial and senior loan committees; development of an asset based lending policy and residential construction lending policy; and part time membership on the merger and acquisition team.

Loan Review Officer, 1985

Annual review and risk rating of commercial and real estate loans and developed and implemented a loan officer assessment program which analyzed overall quality, profitability, industry and collateral concentrations, and policy compliance of specific portfolios within the bank.

Commercial Loan Analyst, 1984-1985

Provided assistance to commercial and real estate loan officers in the underwriting and preparation of loan packages for credit requests in excess of \$1 Million. Formal credit training was provided under the bank's loan officer training program.

Various Banks 1978 – 1984
Baton Rouge, Louisiana

While in high school and college, held one or more positions at various community and regional banks including: transit courier, proof encoding, data processing, teller and consumer loan collector.

Military Experience

United States Army / Louisiana National Guard – Officer
Infantry Company Commander

- Leadership responsibility for 120 soldiers and over \$30 Million in equipment.
- Operation Desert Storm – 1990-1991.

Staff Officer

- Responsible for coordination of training and logistical support for a 950-man unit.

Education and Professional Development

- Louisiana State University: **Commercial Banking**
- **AIB Instructor:** Analyzing Financial Statements; Business Financial Analysis
- **RMA Instructor:** RMA Omega Financial Statement Analysis
- Frequent speaking engagements at CLE and industry conferences on the topics of “Working with your Banker when there are problems” and “Understanding Loss Share”

Publications

2009	Real Estate Crisis or Leverage Crisis: Which Came First, the Chicken or the Egg, Insol 2009
October 2009	Real Estate's Next Crisis, Georgia Banks are Bracing for Major Hit, Atlanta Journal Constitution October 16, 2009
May 2010	Loss-Sharing Agreements between the FDIC and Acquiring Banks: Advice for the Borrower, American Bankruptcy Institute Journal
April 2010	'Jerk' Insurance Soothes Property Sellers amid Recovery Signs, Bloomberg.com
September 2010	What You Need to Know about FDIC Loss Share Agreements, Florida Land Development News
January 2011	Negotiation Strategies in Complex Debt Restructuring: One Part due Diligence, One Part Psychology and Two Parts Cooperation, Financier Worldwide January 2011 Issue
May 2011	Why It Can Be an Advantage to 'Run Scared', Atlanta Business Chronicle
July 2011	Riding Waves of Loss and Gains: Developers Pick up Pieces, Start Again. In Bad Times, a Good Track Record, Famous Name Pay Dividends, Atlanta Journal Constitution July 24, 2011
November 2014	Loss-Share Loophole, American Bankruptcy Institute Journal

Copies of White Papers and published articles can be obtained from www.problemassets.com

Richard Gaudet

Representative Speaking Engagements

March 2009	NAHB Multifamily Pillars of the Industry Conference and Awards Gala,
June 2010	Teleconference: FDIC Structured Sales - \$1.97B on the Block
October 2010	Consumer and Business Bankruptcy – Intersection of Receivership and Bankruptcy
November 2010	ICLE Real Property Foreclosure Seminar – FDIC Loss Share and Banking Transitional Issues
December 2011	Commercial Real Estate Fall Seminar – Loss Share Agreements between the FDIC and Banks; Advice for the Borrower
February 2012	Georgia Society of CPA's – The Leverage Crisis and its effect on today's business environment
November 2013	ICLE Real Property Foreclosure Seminar – Red Hot Workout Trends
May 2015	Real Property Law Institute – Commercial Real Estate Finance – Transaction Volume 2015 to 2017: Types and triggering events – How should you prepare your clients?
May 2015	Turnaround Management Association – 2015 Southeast Regional Conference – Non-Traditional Debt Holders: Finding a Storm Shelter
July 2015	American Bankruptcy Institute - Southeast Conference – It's all about that <i>Till</i> , Panelist

Testimony Experience

- September 2008 **Chatham Investment Fund QP II, LLC and Chatham Investment Fund II, LLC v. Branch Banking and Trust Company and BB&T**
Superior Court of Fulton County, State of Georgia
Case No. 2006-CV-127255
Evidence given at deposition
Retained by: Branch Banking and Trust Company and BB&T
Counsel: William J. Holley, II, Esq., Parker, Hudson, Rainer & Dobbs, LLC
- November 2009 **Robert M Osborne, Jr., Donna Osborne, and DRI, LLC v. Darby Bank & Trust Co., Drayprop, LLC, Draypark, LLC, Michael Brown and Ruben Kroll**
State Court of Chatham County, State of Georgia
Civil Action No: STCV0804464
Evidence given by deposition
Retained by: Darby Bank & Trust Co.
Counsel: R. Clay Ratterree, Esq., Ellis, Painter, Ratterree, & Adams, LLP
- February 2009 **Vallambrosa Holdings, LLC**
U.S Bankruptcy Court for the Southern District of Georgia, Savannah Division
Case No. 08-40791
Evidence given by report, deposition and at trial
Retained by: Canpartners Realty Holding Company IV, LLC
Counsel: Denise D. Dell-Powell, Esq., Ackerman Senterfitt
- November 2010 **North Bay Village, LLC**
U.S. Bankruptcy Court for the Middle District of Florida, Ft. Myers Division
Case No. 10-03090
Evidence given by deposition
Retained by: CW Capital Asset Management LLC
Counsel: Denise D. Dell-Powell, Esq., Burr & Forman, LLP
- June 2011 **Fourth Quarter Properties, et al**
U.S. Bankruptcy Court for the Northern District of Georgia, Newnan Division
Case No. 09-13960-WHD
Evidence given by Report
Retained by: Fourth Quarter Properties, LLC
Counsel: Ward Stone Jr., Esq., Stone & Baxter, LLP

Testimony Experience

- January 2012 **Federal Deposit Insurance Corporation, In its Capacity as Receiver of Integrity Bank of Alpharetta, Georgia v. Jampol, Schleicher, Jacobs & Papadakis, L.L.P., and Michael E. Jacobs, Esq.**
United States District Court, Northern District of Georgia, Atlanta Division
Case No. 1:10-CV-3382-RLV
Evidence given by report and deposition, August 8, 2011 – January 9, 2012
Retained by: Jampol, Schleicher, Jacobs & Papadakis, L.L.P., and Michael E. Jacobs, Esq.
Counsel: Matthew G. McLaughlin, Esq., Hawkins Parnell Thackston & Young, LLP
- March 2012 **Security Federal Bank v. Custom Mechanical CSRA, LLC, Custom Mechanical CSRA, Inc., Custom Industrial Services, LLC, Custom Machine and Welding, Inc., Danny L. Key, Dean H. Durand, Joy B. Durand, Janice W. Herrington, Presidential Financial Corporation, the South Carolina Department of Revenue, an agency of the State of South Carolina, Charleston Rigging and Marine, and Ferguson Enterprises, Inc.**
South Carolina Court of Common Pleas, Second Judicial Circuit
Case No. 2009-CP-02-02812
Evidence given at deposition and at trial
May 10, 2011 - March 15, 2012
Retained by: Presidential Financial Corporation
Counsel: David Marmins, Esq., Balch & Bingham
- March 2012 **Fairgreen Capital, LP, Fairgreen Edenwood, LLC, Fairgreen North Paulding, LLC, Fairgreen Great Sky, LLC, Fairgreen Mirror Lake, LLC, Fairgreen Homes, LLC, and Stricklin Capital, Inc.**
United States Bankruptcy Court, Northern District of Georgia, Rome Division
Case Nos. 11-40242-mgd; 11-40240-mgd; 11-40241-mgd; 11-40243-mgd; 11-40245-mgd; 11-40246-mgd; 11-40247-mgd
Evidence given by testimony
Retained by: Fairgreen Capital, L.P. et al.
Counsel: Karen Fagin White, Esq., Cohen Pollock Merlin & Small
- March 2012 **Rahim Sabadia, an individual; Rahim Sabadia and Nafees El Batool, as Trustees of the Sabadia Family Trust dated December 31, 1996, as amended on July 15, 2005, Ishtiaq Khan, as Trustee of The Sabadia Family Irrevocable Trust v. Holland & Knight LLP, a Florida limited liability partnership; and Does 1 through 50, inclusive**
Superior Court of the State of California, County of Los Angeles
Case No. BC438701
Evidence given by deposition, December 21, 2011 – March 1, 2012
Retained by: Holland & Knight, LLP
Counsel: John P. Klinedinst, Esq., Klinedinst PC

Testimony Experience

- March 2012 **Trinidad and Tobago Unit Trust Corporation v. CB Richard Ellis, Inc., and Kent S. Kerr**
United States District Court, Southern District of Florida, Miami Division
Case No. 11-CV-20022-Martinez/McAliley
Evidence given by report, December 23, 2011- March 21, 2012
Retained By: CB Richard Ellis, Inc.
Counsel: Thomas J. Meeks, Esq., Carlton Fields
- April 2012 **BBC Partners, LLC, and RM Kids, LLC v. Old Republic National Title Insurance Company, Womble, Carlyle, Sandridge & Rice, PLLC, Richard S. Abram, The Abram Law Group, LLC, Investors Title Agency of Georgia LLC, North Coast Title, LLC, & Columbia Engineering and Services, Inc. Cheryl Medley, Investors Managing Member Does (1-5), Womble Managing Member Does (1-15)**
Superior Court of Gwinnett County, State of Georgia
Case No. 10A09956-8
Evidence given by report
Retained By: Richard S. Abram, the Abram Law Group, LLC, North Coast Title, LLC, and Cheryl Medley
Counsel: Shannon M. Sprinkle, Esq., Carlock, Copeland & Stair, LLP
- April 2012 **John Scott and JRCCS Holdings, L.P. v. Bank of America N.A.**
Superior Court of Fulton County, State of Georgia
Case No. 210-CV-191358
Evidence given by report and deposition, September 1, 2011- April 9, 2012
Retained by: Bank of America N.A.
Counsel: Simon Malko, Esq., Morris Manning & Martin, LLP
- May 2012 **Alexander SRP Apartments, LLC**
U.S. Bankruptcy Court for the Southern District of Georgia, Brunswick Division
Case No. 12-20272-LWD
Evidence given by Report
Retained by: Alexander SRP Apartments, LLC
Counsel: Laura Woodson, Esq., Scroggins & Williamson, P.C.

Testimony Experience

- September 2012 **TCC, Inc. v. TSO Cigar Factory, LLC, et al. ; Federal Deposit Insurance Corporation as Receiver for Silverton Bank, N.A., Counter-Plaintiff, Cross-Plaintiff, and Third-Party Plaintiff, v. TCC, Inc., Counter-Defendant, TSO Cigar Factory, Cross Defendant, and Trident Construction Co. Inc., and A. Boyd Simpson, Third-Party Defendants.**
United States District Court, District of South Carolina, Charleston Division
Case No. 2:10-CV-02508-RMG and 2-10-CV002508-WOB-BM
Evidence given by report and deposition, October 12, 2011- September 10, 2012
Retained by: TSO Cigar Factory, LLC
Counsel: Brewton Hagood, Esq., Rosen, Rosen & Hagood, LLC
- January 2013 **John A. Whigham and Rebecca K. Whigham; and Springfield Properties, LLLP**
U.S. Bankruptcy Court for the Southern District of Georgia, Dublin Division
Case No. 12-30124-JSD and 12-30123-JSD
Evidence given by Deposition
Retained By: John A. Whigham
Counsel: Ward Stone Jr., Esq., Stone & Baxter, LLP
- March 2013 **LS Mtron, as successor to LS Cable v. Textron Financial Corporation, and James C. Marrow, as Receiver for Farmtrac North America, LLC**
Superior Court of Edgecombe County, State of North Carolina
Case No. 09-CVS-1539
Evidence given by affidavit, December 27, 2012 – March 27, 2013
Retained By: Textron Financial Corporation
Counsel: Ronald S. Coleman, Esq., Parker, Hudson, Rainer & Dobbs, LLC
- March 2013 **TIB - The Independent Bankers Bank v. 2010-1 SFG Venture, LLC, Houston Galleria Hotel Owner, LLC, and Square Mile Capital Management, LLC**
Superior Court of Fulton County, State of Georgia
Case No. 2011CV209110
Evidence given by report, September 28, 2012 – March 28, 2013
Retained by: Square Mile Capital Management, LLC
Counsel: Robert P. Alpert, Esq., Morris, Manning & Martin, LLP

Testimony Experience

- March 2013 **First American Title Insurance Company v. Apex Title, Inc.; The Law Office of Michael A. Eddings, P.C.; Michael A. Eddings, Individually; Sonya Eddings; Columbus Bank and Trust Company, a division of Synovus Bank; Uptown Fish House, LLC; and Eddings Holdings, Inc.; d/b/a The Coffee Beanery**
United States District Court, Middle District of Georgia, Columbus Division
Case No. 4:12-CV-10 (CDL)
Evidence given by report and deposition
Retained By: First American Title Insurance Company
Counsel: Jeff Schneider, Esq., Weissman, Nowack, Curry & Wilco, P.C.
- April 2013 **Deborah C. Menotte, Trustee for the Estates of First NLC Financial Services, LLC, NLC, Inc., and First NLC, Inc. v. Neal S. Henschel, Jeffrey M. Henschel, and Thomas J. Allison**
Circuit Court of the 15th Judicial Court in and for Palm Beach County, Florida
Case No. 50 2009 CA 023865 XXXXMBAB
Evidence given by report and deposition, October 15, 2012- April 8, 2013
Retained by: Deborah C. Menotte, Trustee
Counsel: Phillip R. Stein, Esq., Bilzin Sumberg Baena Price & Axelrod, LLP
- June 2013 **K.H. Thomas Associates, LLC, Plaintiff, vs. CBRE, INC., f/k/a CB Richard Ellis, Inc. Defendant**
United States District Court, Southern District of Florida
Case No. 12-cv-23750-CMA
Evidence given by Report
Retained By: CB Richard Ellis, Inc.
Counsel: Hardy L. Roberts, Esq., Carlton Fields
- July 2013 **SE Property Holdings, LLC, as successor by merger with Vision Bank, ("Plaintiff") vs. GulfSouth Private Bank, First NBC Bank, The Bank of Vernon, and HCB Financial Corp ("Defendants")**
United States District Court, Northern District of Florida, Pensacola Division
Case No. 13-cv-6-MCR-CJK
Evidence given by Report and Deposition
Retained By: HCB Financial Corp
Counsel: Robin Cheatham, Esq., Adams and Reese, LLP
- September 2013 **USA Broadmoor, LLC a/k/a Broadmoor Apartments**
United States Bankruptcy Court, Middle District of Florida, Tampa Division
Case No. 8:13-bk-4880-MGW
Evidence given by Report
Retained By: USA Broadmoor, LLC
Counsel: Edward Peterson, Esq., Stichter, Riedel, Blain & Prosser P.A.

Testimony Experience

- October 2013 **Federal Deposit Insurance Corporation. As Receiver for Alpha Bank & Trust, ("Plaintiff") vs. James A. Blackwell, Jr., Joseph L. Briner (nominally, to the extent of insurance policy coverage only), Dan E. Burge, Claud E. Clark, Thomas D. Daniel, Robert E. Garrison, Barry E. Mansell, Jack V. Miller, Jayantilal K. Miller, Robert E. Skeen, III, and D. Michael Sleeth. ("Defendants")**
United States District Court, Northern District of Georgia, Atlanta Division
Case No. 1:1-CV-3423
Evidence given by Report and Deposition
Retained By: Defendants
Counsel: Mary Lillian Walker, Esq., Hudson Parrot Walker, LLC
- November 2013 **Federal Deposit Insurance Corporation, as Receiver for First Piedmont Bank ("FDIC") vs. William H. Whitley, Rodney H. Broach, Donnie C. Canup, Garey H. Huff, Jerry M. Maynard, and W. Leon Pruett ("Defendants")**
United States District Court, Northern District of Georgia, Gainesville Division
Case No. 2:12-CV-170
Evidence given by Report
Retained By: Defendants
Counsel: Mary Lillian Walker, Esq., Hudson Parrot Walker, LLC
- December 2013 **Bank of Camden (Plaintiff) vs. State Bank and Trust Company (Defendant)**
United States District Court, Middle District of Georgia, Macon Division
Case No. 5:13-CV-21
Evidence given by Report and Deposition
Retained By: Plaintiff
Counsel: Scott M. Ratchick, Esq., Chamberlain, Hrdlicka, White, Williams & Aughtry LLP
- January 2014 **BRANCH BANKING AND TRUST COMPANY, successor-in-interest to COLONIAL BANK by acquisition of assets from the FDIC as Receiver for Colonial Bank, a North Carolina banking corporation organized and in good standing under the laws of the State of North Carolina, Plaintiff, vs. EMA GOMEZ-MITCHELL, individually; FABIANA J. ALFARO, individually; JAMES M. SHADLAUS, individually; and KATIUSHKA C. LOZANODEPOSADA, individually; DOE individuals I through X; and ROE Corporations and Organizations I through V, inclusive, Defendants**
District Court, Clark County, State of Nevada
Case No. A-13-682113-C; Dept: II
Evidence given by Report
Retained By: James M. Shadlaus
Counsel: Frank Flansburg, III, Esq., Marquis Aurbach Coffing

Testimony Experience

January 2014

BRANCH BANKING AND TRUST COMPANY, successor-in-interest to COLONIAL BANK by acquisition of assets from the FDIC as Receiver for Colonial Bank, a North Carolina banking corporation organized and in good standing under the laws of the State of North Carolina, Plaintiff, vs. DAVID M. FRANK, individually and as trustee of THE DAVID M. FRANK 2004 REVOCABLE INTER VIVOS TRUST dated December 31, 2004; KAVEH KEVIN GOLSHAN, individually; MOUSSA GOLSHAN, as Trustee of the AGA IRREVOCABLE TRUST dated December 7, 1995; THE MERRILL COMPANIES, LLC, a California Limited Liability Company; FIESTA STATION REAL ESTATE HOLDINGS, LLC, a Nevada Limited Liability Company; AGA, LLC, a California Limited Liability Company; GERALDINE WEBER, an individual; and DOE individuals I through X; and ROE Corporations and Organizations I through V, inclusive, Defendants

United States District Court, Middle District of Nevada

Case No. 2:11-CV-01366-JCM-CWH

Evidence given by Report

Retained By: Defendant

Counsel: Frank Flansburg, III, Esq., Marquis Aurbach Coffing

February 2014

KEY EQUIPMENT FINANCE, INC. (Plaintiff) vs. GEORGE D. OVEREND, FRANKLIN B. TRELL, and CAROL C. OVEREND, AS TRUSTEE OF THE CAROL C. OVEREND REVOCABLE TRUST (Defendant)

United States District Court, Northern District of Georgia, Atlanta Division

Case No. 1:12-CV-2473-CAP

Evidence given by Affidavit, Deposition, and Testimony

Retained By: Defendant

Counsel: Elizabeth B. Hodges, Esq., Cohen Pollock Merlin & Small, P.C.

March 2014

431 W. PONCE DE LEON, LLC; CARTEL PROPERTIES SPALDING WOODS, LLC; 525 MORELAND AVENUE, LLC; CARTEL PROPERTIES II, LLC; ROHRIG INVESTMENTS, LP, et al.; ROHRIG POLLACK, LLC

U.S. Bankruptcy Court for the Northern District of Georgia, Atlanta Division

Case Nos. 13-53479-BEM; 13-53481-BEM; 13-53482-BEM; 13-53480-BEM; 13-53483-BEM; 13-53485-BEM

Evidence given by Report. Deposition, and Testimony

Retained By: Rohrig, etal

Counsel: Ward Stone Jr., Esq., Stone & Baxter, LLP

Testimony Experience

April 2014

SCHEFFLER FAMILY LIMITED PARTNERSHIP, a Nevada Limited Partnership; GRAPHICSLAND, LTD., a Nevada Limited Liability Company; WAGON TRAIL LAND, LLC, a Nevada Limited Liability Company; WHITE OAKS MANAGEMENT, INC., a Nevada Corporation; SCHEFFLER LEGACY LIMITED PARTNERSHIP, a Nevada Limited Liability Partnership; LARRY SCHEFFLER, an individual; HELEN SCHEFFLERBRIDGES, an individual; and TIMOTHY SCHEFFLER, an individual, Plaintiff, v. BRANCH BANKING AND TRUST COMPANY, a North Carolina Corporation; and DOES individuals I through X; and ROE Corporations and Organizations I through V, inclusive, Defendants.

District Court, Clark County, State of Nevada

Case No. A-12-673690-C; Dept: I

Evidence given by Report

Retained By: Scheffler Family Limited Partnership

Counsel: Eric Dobberstein, Esq., Dickinson Wright PLLC

May 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. REGENA HOMES, LLC, a Nevada limited liability company; YOEL INY, an individual; NOAM SCHWARTZ, an individual; YOEL INY, Trustee of the Y & T INY FAMILY TRUST dated June 8, 1994, as amended; NOAM SCHWARTZ, Trustee of the NOAM SCHWARTZ TRUST dated August 19, 1999; D.M.S.I., LLC, a Nevada limited liability company; GREAT AMERICAN CAPITAL, a Nevada corporation; and DOES 1 through 10, inclusive, Defendants.

United States District Court, District of Nevada

Case No. 2:12-CV-00451-JAD-GWF

Evidence given by Declaration

Retained By: Regina Homes, LLC

Counsel: Janet L. Rosales, Esq., Kolesar & Leatham

May 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. YOEL INY, NOAM SCHWARTZ, YOEL INY, Trustee of the Y&T INY Family Trust dated June 8, 1994, as amended, NOAM SCHWARTZ, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC, a Nevada Limited-Liability Company; and DOES 1 through 10, inclusive. Defendants,

United States District Court, District of Nevada

Case No. 2:11-CV-01777-MMD-VCF

Evidence given by Report and deposition

Retained By: Yoel Iny, Noam Schwartz, Yoel Iny, Trustee of the Y&T Iny Family Trust dated June 8, 1994, as amended, Noam Schwartz, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC

Counsel: Janet L. Rosales, Esq., Kolesar & Leatham

Testimony Experience

May 2014

BRANCH BANKING AND TRUST COMPANY, Successor in interest to Colonial Bank, by asset acquisition from the FDIC, as receiver for Colonial Bank, Plaintiff v. SOUTH FORK RESOURCES LLC, formerly known as South Fork Development LLC, and ALFRED L. AMATO, Defendants,
Supreme Court of the State of New York, County of Nassau
Case No. 10/012563
Evidence given by Affidavit
Retained By: Alfred L. Amato
Counsel: Gary Ettelman, Esq. Ettelman & Hochheiser, P.C.

June 2014

EAGLE GA I SPE v. FELDWOOD ROAD
Superior Court of Fulton County, State of Georgia
Case No. 2013CV240807
Evidence given by Testimony
Retained By: Feldwood Road, LLC
Counsel: Simon Bloom, Esq., The Bloom Law firm

June 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. BARRY A. FORD, an individual; WILLIAM SOUSA, an individual; JUDY SOUSA, an individual; TROPICANA PARTNERS 2, LLC, a Nevada Limited Liability Corporation; and DOES I through X and Corporations, I through X, inclusive. Defendants,
District Court, Clark County, Nevada
Case No. A-11-640113-C; A-11-640116-C; and A-11-640117-C (Consolidated)
Evidence given by Report
Retained By: William Sousa
Counsel: Wayne A. Silver, Esq.

June 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. 27TH & SOUTHERN HOLDING, LLC. A Nevada limited liability company; YOEL INY, NOAM SCHWARTZ, YOEL INY, Trustee of the Y&T INY Family Trust dated June 8, 1994, NOAM SCHWARTZ, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC, a Nevada limited liability company; and DOES 1 through 10, inclusive. Defendants,
United States District Court, District of Nevada
Case No. 2:12-CV-01781-LRH-PAL
Evidence given by Report and deposition
Retained By: 27th & Southern Holding, LLC, Yoel Iny, Noam Schwartz, Yoel Iny, Trustee of the Y&T Iny Family Trust dated June 8, 1994, Noam Schwartz, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC
Counsel: E. Daniel Kidd, Esq., Kolesar & Leatham

Testimony Experience

June 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. ELOY BUSINESS PARK, LLC. A Nevada limited liability company; YOEL INY, NOAM SCHWARTZ, YOEL INY, Trustee of the Y&T INY Family Trust dated June 8, 1994, NOAM SCHWARTZ, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC, a Nevada limited liability company; and DOES 1 through 10, inclusive. Defendants,

United States District Court, District of Nevada

Case No. 2:12-CV-01679-LRH-PAL

Evidence given by Report and deposition

Retained By: Eloy Business Park, LLC, Yoel Iny, Noam Schwartz, Yoel Iny, Trustee of the Y&T Iny Family Trust dated June 8, 1994, Noam Schwartz, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC
Counsel: E. Daniel Kidd, Esq., Kolesar & Leatham

June 2014

BRANCH BANKING AND TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. PEBBLE CREEK PLAZA PAD, LLC. A Nevada limited liability company; YOEL INY, NOAM SCHWARTZ, YOEL INY, Trustee of the Y&T INY Family Trust dated June 8, 1994, NOAM SCHWARTZ, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC, a Nevada limited liability company; and DOES 1 through 10, inclusive. Defendants,

United States District Court, District of Nevada

Case No. 2:12-CV-01736-MMD-CWH

Evidence given by Report and deposition

Retained By: Pebble Creek Plaza Pad, LLC, Yoel Iny, Noam Schwartz, Yoel Iny, Trustee of the Y&T Iny Family Trust dated June 8, 1994, Noam Schwartz, Trustee of the Noam Schwartz Trust, dated August 19, 1999, and D.M.S.I., LLC
Counsel: E. Daniel Kidd, Esq., Kolesar & Leatham

July 2014

FIRST-CITIZENS BANK & TRUST COMPANY, a North Carolina banking corporation, Plaintiff, v. PHILLIPS P. YEE, also known as PHIL YEE, and individual; and DOES 1 through 100, inclusive, Defendants.

Superior Court of California, County of Alameda

Case No. RG 12647373

Evidence given by Report

Retained By: Phillips P. Yee

Counsel: Len Mastromonaco, Esq., Mastromonaco Real Property Law Group

July 2014

EMD, LLC

United States Bankruptcy Court, Northern District of Georgia, Newnan Division

Case No. 13-10607

Evidence given by report and testimony

Retained By: EMD, LLC

Counsel: Ward Stone Jr., Esq., Stone & Baxter, LLP

Testimony Experience

- August 2014 **VILLAS AT SPRING HILL, LTD**
United States Bankruptcy Court, Middle District of Florida, Tampa Division
Case No. 8:14-bk-06684-MGW
Evidence given by report
Retained By: Villas at Spring Hill, Ltd.
Counsel: Howard DuBosar, Esq., DuBosar Navon, PLLC
- September 2014 **HAMILTON STATE BANK, Plaintiff, v. SOUTH POINT RETAIL PARTNERS, LLC, RICHFIELD DEVELOPMENT CORPORATION, J.H. CHILDS COMPANY, L.P., SONID CORPORATION, RICHARD LESTER, individually, JAMES M. BAKER, individually, and JOHN L. DIMOS, individually, Defendants**
State Court of Fulton County, Georgia
Case No. 13EV018343Y
Evidence given by Deposition and Affidavit
Retained By: South Point Retail Partners, LLC
Counsel: Jimmy L. Paul, Esq., Chamberlain, Hrdlicka, White, Williams & Aughtry
- October 2014 **DA REALTY HOLDINGS, LLC and EASTERN MANAGEMENT & FINANCIAL, LLC, Plaintiff, v. TENNESSEE LAND CONSULTANTS, LLC and SCOTT M. BORUFF, Defendants.**
United States District Court, Northern District of Georgia, Gainesville Division
Case No. 2:13-CV-00191-WCO
Evidence given by Report
Retained By: Scott M. Boruff
Counsel: Aaron Tady, Esq., Coles Barton LLP
- November 2014 **SCRUB ISLAND DEVELOPMENT GROUP LIMITED, Jointly Administered with SCRUB ISLAND CONSTRUCTION LIMITED**
United States Bankruptcy Court, Middle District of Florida, Tampa Division
Case No. 8:13-bk-15285-MGW and 8:13-bk-15286-MGW
Evidence given by Report, Deposition, and Testimony
Appointed as Plan Administrator
Retained By: Debtor
Counsel: Harley Riedel, Esq., Stichter, Riedel, Blain & Prosser P.A.
- December 2014 **HAMILTON STATE BANK, Plaintiff, v. AMLFH, LLLP AND ANN M. LASSITER, Defendants**
State Court of Cobb County, Georgia
Case No. 2013A-2105-3
Evidence given by Affidavit
Retained By: AMLFH, LLLP
Counsel: Jimmy L. Paul, Esq., Chamberlain, Hrdlicka, White, Williams & Aughtry

Testimony Experience

- January 2015 **ANTARAMIAN PROPERTIES, LLC, Jointly Administered with ANTARAMIAN FAMILY, LLC and ANTARAMIAN FAMILY TRUST**
United States Bankruptcy Court, Middle District of Florida, Fort Myers Division
Case No. 9:14-bk-10145-CED, 9:14-bk-10146-CED, and 9:14-bk-10148-CED
Evidence given by Report
Retained By: Naples Bay Financial Holdings, LLC; Knightsbridge Partners of Naples, LLC; NBR Shoppes, LLC; and PZS Group
Counsel: Ed Rice, Esq., Glenn Rasmussen, P.A.
 Jordi Guso, Esq., Berger Singerman, LLP
 Robert D. W. Landon III, Esq., Kenny Nachwalter, P.A.
 Bryan T. West, Esq., Akerman, LLP
- July 2015 **HAMILTON STATE BANK, Plaintiff, v. JONES & BLACK DEVELOPMENT, LLC, MARKETPLACE STOREFRONTS, LLC, and TIMOTHY P. JONES, Defendants**
Superior Court of Henry County, Georgia
Case No. 14-CV-0614-JRP
Evidence given by Affidavit
Retained By: Jones & Black Development, LLC
Counsel: Ron Quigley, Esq., Davis, Matthews & Quigley, P.C.
- November 2014 **FRENCH QUARTER TAMPA LIMITED PARTNERSHIP, a/k/a FRENCH QUARTER APARTMENTS**
United States Bankruptcy Court, Middle District of Florida, Tampa Division
Case No. 8:13-bk-7584-KRM
Evidence given by Testimony
Retained By: Debtor
Counsel: Scott A. Stichter, Esq., Stichter, Riedel, Blain & Prosser P.A.

As Fact or 30(b)(6) Witness

- 1985-2004 **Wachovia Bank, N.A. – Atlanta, Georgia & Hibernia National Bank – Baton Rouge, LA**
Evidence given by affidavit, deposition, at trials and hearings
Approximately 40 occasions