

KENNETH D. GOODMAN, TRUSTEE

Plaintiff,

v.

CASE NO.: 07-2492-CA

M.A.M.C. WINDWARD, LLC, a Florida
limited liability company, et al,

Defendants.

SECOND AMENDED NOTICE OF APPEARANCE

Eugene H. Smith and C. Richard Mancini, of the law firm of Henderson, Franklin, Starnes & Holt, P.A., file this Second Amended Notice of Appearance to clarify and correct the Amended Notice of Appearance previously filed by undersigned counsel on or about December 15, 2008.

1) The following Defendants were inadvertently listed in the Amended Notice of Appearance and are not represented by undersigned counsel: Coconut Grove Bank, as Custodian of the Anita Speisman IRA as to an undivided 1% interest; Coconut Grove Bank, as Custodian of the William E. Simmel, IRA as to an undivided 2% interest; Coconut Grove Bank, as Custodian of the Barry Alter, IRA as to an undivided 1.5% interest; Coconut Grove Bank, as Custodian of the Thomas B. Blaikie IRA as to an undivided 5% interest; Coconut Grove Bank, as Custodian of the Stephen Strong Rollover IRA as to an undivided 5% interest; Coconut Grove Bank, as Custodian of the Murray L. Kane Rollover IRA as to an undivided 2% interest; and Coconut Grove Bank, as Custodian of the David Eastis Rollover IRA as to an undivided 2.5% interest.

Undersigned counsel does not now nor ever has represented the above identified Defendants.

2) The following Defendants were inadvertently listed in the Amended Notice of Appearance and are not represented by undersigned counsel: Sidney Oliver Custody Account, as to an undivided 1.273% interest; Keith Lawrence Novak, as to an undivided 0.714% interest; Mildred Gidney, as Trustee for the Mildred Gidney Revocable Trust, as to an undivided 0.571% interest; Kenneth Halperin, as to an undivided 0.257% interest; Albert J. Kaplan Irrevocable Trust, Leah Kaplan, Trustee as to an undivided 0.114% interest; Marvin Kaplan and/or Catherine Ellison, as to an undivided 1.071% interest; Robert Revitz Trust, as to an undivided 7.143% interest; David Russin, as to an undivided 0.714% interest; Judith Trontz, as to an undivided 0.286% interest; Solomon Yurman, as to an undivided 0.357% interest; Fred Wheeler, as to an undivided 0.857% interest; Camelot Holdings, L.P., as to an undivided 1% interest; Harold J. Brooks Defined Benefit Pension Plan, as to an undivided 0.357% interest; Karen S. Ellenby Revocable Trust, as to an undivided 0.143% interest; Richard Gold, as to an undivided 1% interest; Esta Solomon, as to an undivided 0.571% interest; Bonnie Brooks and Ilene Tessler M.P. Pension Plan, as to an undivided 0.286% interest; Bette Weinstein Kaplan, as to an undivided 0.071% interest; Albert V. Harrison, Jr. & Elizabeth G. Harrison, as to an undivided 1.071% interest; Iris Raderman Trust, as to an undivided 0.429% interest; Helen A. Lin, as to undivided 0.414% interest; Carolyn F. Luck Revocable Trust, as to an undivided 0.571% interest; Marilyn Burns, Trustee for the Marilyn Burns Revocable Trust, as to an undivided 0.357% interest; Robert A. Jacqueline K. Herchek, as to an undivided 0.429% interest; Harry L. & Lois S.

Kirk, as to an undivided 0.357% interest; Jeanne C. Latour, as to an undivided 0.143% interest; Stuart Sheldon, as to an undivided 0.071% interest; Denise Gold, as to an undivided 0.286% interest; Alejandro Hugo Tacsir, as to an undivided 0.143% interest; Steven C. Cronig, as to an undivided 0.714% interest; Jeffery H. Gordon, Trustee, for the Jeffrey H. Gordon Revocable Trust, as to an undivided 3.571% interest; Norman & Bonnie Brooks, as to an undivided 0.214% interest; Eric Schwartz, as to an undivided 1.429% interest; Sonia Levy, as to an undivided 0.571% interest; Alice Wilton, as to an undivided 0.571% interest; Estate of Charles Beckham Kniskern, Jr., as to an undivided 0.714% interest; Forrest R. and Geraldine P., Nichols, Jr., 0.357% interest; Harry A. and Gail Blyden, as to an undivided 0.143% interest; Jorge Ernesto Zarini, as to an undivided 0.214% interest, Michael Block, as to an undivided 0.214% interest; Jack of Marsha Kotkin, as to an undivided 0.714% interest; Arnold Slotkin, as to an undivided 0.357% interest; Gail Atterman, as to an undivided 0.357% interest; Charles R. Gremler Trust, as to an undivided 1.786 interest; Charles J., Kane Profit Sharing Plan, as to an undivided 0.714% interest; Pamela Morgan, as to an undivided 0.714% interest; Harley N. Kane and Marcia E. Kane as to an undivided 0.286% interest; Franklin E. Ward and/or Christina Ward, as to an undivided 0.429% interest; James Reiss, as to an undivided 0.071% interest; Fagenholz Family LTD Partnership, as to an undivided 1.429% interest; Albert and Beth Friedman, as to an undivided 0.571% interest; Jillian Galitzer, as to an undivided 0.357% interest; Robert Markowitz, as to an undivided 0.143% interest; Steven Lesser as to an undivided 0.357% interest; Marilyn Himmel, as to an undivided 0.286% interest; Scott Flower, as to an undivided 0.214% interest; Arin B. Maercks, as to an undivided 0.357% interest; Donald & Alina Davis, as to an

undivided 0.357% interest; Shirlee Thaler, as to an undivided 1.429% interest; Ellen Prager, as to an undivided 0.071% interest; Marjorie Leshaw Trust, as to an undivided 0.143% interest; Sharon Marcus, as to an undivided 0.714% interest; John Gonzalez, as to an undivided 0.143% interest; Albert Friedman as custodian FBO Lauren A. Friedman UTMA/F, as to an undivided 0.057% interest; Albert Friedman as custodian FBO Ethan G. Friedman UTMA/F, as to an undivided 0.057% interest; Steven Blaha as to an undivided 0.071% interest; Andrew Zaron as to an undivided 0.286% interest; Richard P. Higer and Bernice S. Higer, as to undivided 0.143% interest; Donna Riven Gordon Irrevocable Trust, as to an undivided 0.429% interest; Edward Leshaw, as to an undivided 0.143% interest; John Alderman, as to an undivided 0.357% interest; Joan Gitelis, as to an undivided 1.000% interest; Rachel Friedman, as to an undivided 0.286% interest; Douglas Winfield Clanton, as to an undivided 1.071% interest; Thomas Richard Hanson, as to an undivided 0.429% interest; Guillaume Friedman, as to an undivided 0.286% interest; Curtis A. James III, as to undivided 1.429% interest; Ronald Daniel & Sheldon Stivelman, JTWR0S, as to an undivided 0.214% interest; Diana Wain Menzer, as to undivided 0.429% interest; Mary Anne Lostumbo Richter, as to an undivided 0.571% interest; Maurice Goldstein, as to an undivided 0.571% interest; Robert Perless Revocable Trust, as to an undivided 0.214% interest; Avi Steiner as to an undivided 0.143% interest; Rhoda Sternberg POD Betsy E. Sternberg, as to an undivided 0.143% interest; Gregg O. Hanson TOD Jessica M. Hanson, as to an undivided 0.286% interest; William E. Pitts, as to an undivided 0.143% interest; Kathleen A. Stirling, as to an undivided 0.143% interest; Karen Myers, as to an undivided 0.357% interest.

Undersigned counsel does not now nor ever has represented the above identified Defendants.

3) The Amended Notice of Appearance should be amended to show that undersigned counsel only represents the following Defendants (which fall under the category of Percentage Interest Borrowers as defined in the Complaint): LMJ Family Investments, L.L.C., as to an undivided 0.714% interest; Feuer Family LTD Partnership, as to an undivided 1.071% interest; Lesage, Inc., as to an undivided 0.143% interest; Payande, LLC, as to an undivided 0.114% interest; Coconut Grove Bank, as Custodian of the Forrest Rhea Nichols IRA, as to an undivided 1.786% interest; Coconut Grove Bank, as Custodian of the Charles R. Gremler IRA, as to an undivided 1% interest; Coconut Grove Bank, as Custodian of the Larry Radammer S/D Rollover IRA, as to an undivided 0.914% interest; Coconut Grove Bank, as a Custodian of the Douglass Kniskern IRA, as to an undivided 0.429% interest; Coconut Grove Bank, as Custodian of the Januel E. Douglas IRA, as to an undivided 0.143% interest; Coconut Grove Bank, as Custodian of the Arthur Feinberg Rollover IRA, as to an undivided 1.071% interest; Coconut Grove Bank, as Custodian of the Victor Blaha IRA, as to an undivided 0.5% interest; Coconut Grove Bank, as Custodian of the Judith Trontz IRA, as to an undivided 0.214% interest; Coconut Grove Bank, as Custodian of the Gary Farnsworth IRA, as to an undivided 1.071% interest; Coconut Grove Bank, as Custodian of the Barry Kendall IRA as to an undivided 1.071% interest; Coconut Grove Bank, as Custodian of the Don Davis IRA, as to an undivided 2.029% interest; Coconut Grove Bank, as Custodian of the James J. Hourin IRA, as to an undivided 0.714% interest; Coconut Grove Bank, as Custodian of the Patricia Hourin IRA, as to an undivided

0.143% interest; Coconut Grove Bank, as Custodian of the John Morgan Self Direct Rollover IRA, as to an undivided 1.429% interest; Coconut Grove Bank, as Custodian of the Paul Adlington IRA, as to an undivided 4.286% interest; Coconut Grove Bank, as Custodian of the Peter M. Holahan IRA, as to an undivided 0.286% interest; Coconut Grove Bank, as Custodian of the Gail Lane Corenblum Rollover IRA, as to an undivided 1.786% interest; Coconut Gove Bank, as Custodian of the Stuart Corenblum IRA, as to an undivided 0.043% interest; Coconut Grove Bank, as Custodian of the Charles Parlagreco IRA, as to an undivided 3.286% interest; Coconut Grove Bank, as Custodian of the Lawrence Eric Meyer, Jr., Self Directed Rollover IRA, as to an undivided 0.5% interest; Coconut Grove Bank, as Custodian of the Judith Parker Self Directed Rollover IRA, as to an undivided 0.429% interest; Coconut Grove Bank, as Custodian of the Dale Content IRA, as to an undivided 0.143% interest; Coconut Grove Bank, as Custodian of the Henry Coppola IRA, as to an undivided 0.357% interest; Coconut Grove Bank, as Custodian of the Delsie Lipton IRA, as to an undivided 0.357% interest; Coconut Grove Bank, as Custodian of the Daniel Perkins S/D Rollover IRA, as to an undivided 0.714% interest; Coconut Grove Bank, as Custodian of the John Alderman IRA, as to an undivided 0.714% interest; Coconut Grove Bank, as Custodian of the Richard Jacobs IRA, as to an undivided 0.357% interest; Coconut Grove Bank, as Custodian of the David Thompson IRA, as to an undivided 1.286% interest; Coconut Grove Bank, as Custodian of the Robert R. Allen IRA, as to an undivided 2.857% interest; Coconut Grove Bank, as Custodian of the Peter J. Fallon Jr. IRA, as to an undivided 0.857% interest; Coconut Grove Bank, as Custodian of the Curtis Henry Briggs IRA, as to an undivided 3.357% interest; Coconut Grove Bank as Custodian of the James Miller IRA,

as to an undivided 0.714% interest; Coconut Grove Bank, as Custodian of the Robert Bourne IRA, as to an undivided 0.286% interest; Coconut Grove Bank, as Custodian of the Gregg Hanson IRA, as to an undivided 1.429% interest; Coconut Grove Bank, as custodian of the Deborah Weinstein IRA, as to an undivided 0.143% interest; Coconut Grove Bank, as Custodian of the Ganru Ge IRA, as to an undivided 0.286% interest; Coconut Grove Bank, as Custodian of the Wanhe Ge IRA, as to an undivided 0.286% interest; Coconut Grove Bank, as Custodian of the Marty J. Cavato IRA, as to an undivided 1.071% interest; Coconut Grove Bank, as Custodian of the David Kossman IRA, as to an undivided 2.857% interest; Coconut Grove Bank, as Custodian of the Douglas Clanton IRA, as to an undivided 0.643% interest; Coconut Grove Bank, as Custodian of the Gerard Seagriff R/O IRA, as to an undivided 0.214% interest; Coconut Grove Bank, as Custodian of the Edward Kasold IRA, as to an undivided 0.714% interest; Coconut Grove Bank, as Custodian of the Fred M. Fagenholz ROTH IRA, as to an undivided 0.357% interest; Coconut Grove Bank, as Custodian of the Robert I. Fagenholz IRA, as to an undivided 0.357% interest; Coconut Grove Bank, as Custodian of the Sidney Oliver, as to an undivided 1% interest; Coconut Grove Bank, as Custodian of the Gerald R. Collins to an undivided 2.429% interest; Coconut Grove Bank as custodian of the Dale Content IRA, as to an undivided 0.071%; Gibraltar Bank, as Trustee of the Stephen Zaron, M.D. Rollover IRA, as to an undivided 0.357% interest; Gibraltar Bank, as Trustee of the Ira Hershman IRA, as to an undivided 0.714% interest; and Neuberger Berman Trust Co., Trustee FBO Edward Leshaw IRA, as to an undivided 0.143% interest.



C. Richard Mancini, Esq.
Florida Bar No. 149837
Eugene H. Smith, Esq.
Florida Bar No. 319368
HENDERSON, FRANKLIN, STARNES & HOLT
Attorneys for Percentage Interest Borrowers
P. O. Box 280
Ft. Myers, FL 33902-0280
239.344.1100
239.344.1200 (facsimile)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Second Amended Notice of Appearance has been furnished via regular U.S. mail to: J. Michael Coleman, Esq., Coleman, Hazzard & Taylor, P.A., 2640 Golden Gate Parkway, Suite 304, Naples, FL 34105-3220, James D. Gassenheimer, Esq., Berger Singerman, 1000 Wachovia Financial Centre, 200 South Biscayne Blvd., Miami, FL 33131, Scott K. Peterson, Esq., Becker & Poliakoff, P.A. 6230 University Parkway, Suite 204, Sarasota, FL 34240, this 24th day of February 09.



C. Richard Mancini, Esq.