

# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

Lake Burton Club dba Waterfall

For the Period from 8/1/2012 to 8/31/2012

September 25, 2012

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
Asset Disposition	0.40 300.00/hr	120.00
Business Operations	9.70 300.77/hr	2,917.50
Case Administration	138.22 259.91/hr	35,924.88
Employee Benefits / Pensions	22.40 200.00/hr	4,480.00
Insurance	5.60 132.14/hr	740.00
Tax Issues	2.10 200.00/hr	420.00
Travel	21.85 128.17/hr	2,800.62
<b>Subtotal of charges</b>		<b>\$47,403.00</b>
Courtesy discount		<b>(\$18,000.00)</b>
<b>For professional services rendered</b>	<b>200.27</b>	<b>\$29,403.00</b>

## Additional Charges :

Copying Cost	6.90
Expense Reports	446.38
Postage	19.35
<b>Total costs</b>	<b>\$472.63</b>

**Total amount of this bill**

**\$29,875.63**

Exhibit A

## Hays Financial Consulting, LLC

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September 25, 2012

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<b><u>Asset Disposition</u></b>			
8/15/2012	JRB Email correspondence regarding party interested in purchasing the assets of the club.	0.40 300.00/hr	120.00
	Subtotal	0.40	120.00
<b><u>Business Operations</u></b>			
8/2/2012	JRB Meeting with Nicole Goodwin, accounting manager and Jason LeBlanc the general manager to discuss accounting procedures, bank accounts and general flow of revenues and expense.	2.00 300.00/hr	600.00
	JRB Toured property with Jason LeBlanc, Henry Lorber and Charlie Stanford.	1.00 300.00/hr	300.00
	JRB Meeting with Nicole Goodwin to discuss accounting system and procedures. Counted petty cash.	1.00 300.00/hr	300.00
	JRB Meeting with Henry Lorber and Charlie Stanford to discuss meeting with Reynolds personnel and findings regarding accounting systems and procedures.	0.50 300.00/hr	150.00
	JRB Meeting with department heads to understand roles and to discuss the Receivership.	1.50 300.00/hr	450.00
	JRB Meeting with Henry Lorber and Charlie Stanford to discuss findings and to plan actions to secure payroll, benefits and insurance.	1.00 300.00/hr	300.00
8/8/2012	JRJ Participated in meeting with Kathy Malek, Kyle Loechel and assistant of ADP, Henry Lorber regarding setup of payroll system and transfer of employee data from Reynolds Plantation. Discussed transition issues. Discussed cost estimate.	1.00 275.00/hr	275.00
8/21/2012	MHM Drafted emails to James Creek at Georgia Commerce Bank regarding setup of online banking.	0.30 325.00/hr	97.50
8/22/2012	MHM Drafted follow up email to James Creek; set up access to online banking.	0.20 325.00/hr	65.00
8/23/2012	MHM Discussed need for additional users of online banking with Jim Begnaud and Theresa Brummer.	0.20 325.00/hr	65.00
8/24/2012	MHM Reviewed emails from Theresa Brummer and James Creek regarding wire transfer; reviewed and signed funds transfer authorization form.	0.20 325.00/hr	65.00
8/27/2012	MHM Reviewed and signed vendor payment checks.	0.20 325.00/hr	65.00
8/30/2012	JRB Reviewed and analyzed information regarding escrowed cash to address hill slide issue.	0.40 300.00/hr	120.00

		<u>Hrs/Rate</u>	<u>Amount</u>
8/31/2012	MHM Reviewed emails regarding online banking setup for UCB and discussed same with Jim Begnaud.	0.20 325.00/hr	65.00
	Subtotal	9.70	2,917.50
<b><u>Case Administration</u></b>			
8/1/2012	HL Held discussions with counsel and bank. Performed review and edit of Order Appointing Receiver. Held meeting with Hays staff in preparation for takeover. Held after hours meeting with counsel to receive executed Order.	5.00 350.00/hr	1,750.00
8/2/2012	HL Takeover of asset. Held meetings with staff inspection of asset. Held discussions with borrower and insurance brokers concerning payroll issues, property and casualty insurance. Held discussions with note purchaser. Held meeting with Rabun County regarding liquor license.	8.00 350.00/hr	2,800.00
	CS Met with staff for introduction and review of club operations. Requested staff contact information and budget of different departments.	2.10 225.00/hr	472.50
	CS Reviewed physical facility and financial information provided by club staff.	5.70 225.00/hr	1,282.50
8/3/2012	HL Held meeting with liquor license counsel. Held conversations with Hays and property staff concerning insurance, payroll, asset budgets, capital improvement requirements and employee matters.	6.00 350.00/hr	2,100.00
	KAM Met with Henry Lorber to discuss employee and case issues.	0.50 200.00/hr	100.00
	KAM Met with Henry Lorber, Charlie Stanford, Samantha Jose and Jim Begnaud to discuss issues in case. Drafted emails to Nicole Godwin requesting information. Reviewed vacation accrual. Drafted email to Greg Alt to open SunTrust account.	1.50 200.00/hr	300.00
	CS Reviewed property reports and deferred maintenance schedules. Reviewed water and sewer system documents.	4.70 225.00/hr	1,057.50
8/6/2012	HL Held meeting with Reynolds Development to discuss payroll and other transition issues. Exchanged e-mails with on site staff. Held discussions with Hays staff concerning payroll, employees, budgets, operations etc.	5.00 350.00/hr	1,750.00
	KAM Met with Henry Lorber, Jim Begnaud, Charlie Stanford and Reynolds team to discuss issues in case. Drafted emails to Nicole regarding employee issues. Discussed possible ADP payroll placement with Jim Jennings. Reviewed payroll records.	3.10 200.00/hr	620.00
	CS Met with Reynolds Development to discuss transition plans and access to Lake Burton Club documents.	2.00 225.00/hr	450.00
	CS Reviewed meeting notes and discussions with HFC staff. Discussed deferred maintenance with facilities manager of LBC.	2.30 225.00/hr	517.50
8/7/2012	CS Reviewed budget and sewer system documents. Researched EPD requirements for renewal of sewer system license. Talked to Cadence bank asset manager who owns three condominium building pads at LBC.	6.00 225.00/hr	1,350.00

			<u>Hrs/Rate</u>	<u>Amount</u>
8/7/2012	HL	Held meetings with Hays and onsite property staff regarding operations, insurance and payroll issues.	3.00 350.00/hr	1,050.00
8/8/2012	KAM	Met with Henry Lorber, Jim Frenzel, Eric Silva, Jim Begnaud and Charlie Stanford to discuss issues in the case.	1.50 200.00/hr	300.00
	CS	Review of LBC prepared budget to submit to lender for funding of operation. Discussed budget for maintaining the golf course with golf course manager.	5.00 225.00/hr	1,125.00
	CS	Met with Receiver's counsel to discuss LBC, POA, and sewer issues.	1.30 225.00/hr	292.50
	CS	Conference call with lender to discuss 30/60/90 day funding requirements for LBC.	1.00 225.00/hr	225.00
	HL	Held meetings with Hays staff and calls with property, insurance and payroll issues. Met with Receiver counsel.	2.00 350.00/hr	700.00
8/9/2012	MHM	Discussed accounting transition with Theresa Brummer.	0.20 325.00/hr	65.00
	KAM	Drafted emails to ADP regarding service agreement. Prepared form 8821 and request for FEI# information. Reviewed amended contract and sent to ADP. Requested bank spec sheet. Drafted emails to Nicole Godwin regarding employee information request from Donnie Chapman. Ordered payables checks for SunTrust account.	2.60 200.00/hr	520.00
	CS	Met with golf course manager regarding issues raised by lender on his budget request for funding. Talked to facilities manager on issues with fire alarm system in the LBC lodge building.	2.00 225.00/hr	450.00
	CS	Reviewed documents supplied by the Debtor on the waste treatment plant. Met with HFC staff to discuss meeting with the LBC POA and current cash needs of the operation.	3.00 225.00/hr	675.00
	HL	Held meetings with counsel, Hays staff and dealt with property, POA, payroll and operational issues.	3.00 350.00/hr	1,050.00
8/10/2012	HL	Discussed asset management issues with bank, borrower, insurance broker, and Bert Williams.	2.00 350.00/hr	700.00
	KAM	Drafted emails and spoke with Terri Wells at United Community Bank. Requested new bank account. Prepared signature cards for delivery to bank. Discussed with Henry Lorber and Jim Begnaud.	0.70 200.00/hr	140.00
8/13/2012	CS	Reviewed Membership agreements and 60 day budget.	2.75 225.00/hr	618.75
	CS	Reviewed 60 Day Budget.	0.67 225.00/hr	150.00
8/14/2012	KAM	Returned signature cards to United Community Bank.	0.20 200.00/hr	40.00
	KAM	Drafted email to Tracy Stevenson regarding payroll issues.	0.20 200.00/hr	40.00
	CS	Reviewed Transfer and Sale of existing membership agreement. Met with LBC employees regarding pending lot sale.	3.25 225.00/hr	731.25
8/15/2012	KAM	Drafted email to Nicole Godwin regarding Worker's Comp policy. Reviewed and drafted email to Tracy Stevenson regarding payroll, benefits and Worker's Comp.	0.50 200.00/hr	100.00

			<u>Hrs/Rate</u>	<u>Amount</u>
8/15/2012	CS	Met with LBC employees regarding payments on dock rental agreement. Researched payment of these fees to vendor for July and August payments.	2.35 225.00/hr	528.75
	CS	Met with LBC about interim membership agreement currently used by LBC.	0.83 225.00/hr	187.50
	JRB	Reviewed and replied to email correspondence regarding JONAS invoices.	0.40 300.00/hr	120.00
8/16/2012	CS	Reviewed attorney response to waste treatment license and payment of dock access fees.	1.08 225.00/hr	243.75
	JRB	Telephone calls to and from Kathy Malek and Michael McClellan regarding wire transfers to Sysco and transferring funds between the various estate bank accounts.	0.50 300.00/hr	150.00
	JRB	Telephone calls to and from Kathy Malek regarding transferring employees off of the Reynolds payroll system to a system for the Country Club.	0.60 300.00/hr	180.00
8/17/2012	MHM	Reviewed and signed vendor payment checks; drafted emails to HFC team and Lake Burton staff regarding same.	0.30 325.00/hr	97.50
	CS	Reviewed personnel insurance for meeting on Tuesday. Reviewed draft of new membership transfer agreement prepared by counsel.	5.00 225.00/hr	1,125.00
8/20/2012	CS	Reviewed final draft of new membership transfer form. reviewed Reynolds data room file for information on asset inventory list. Requested list of assets from LBC employees.	3.50 225.00/hr	787.50
	CS	Discussed current status of waste water agreement with LBC employee.	2.25 225.00/hr	506.25
	JRB	Telephone call to Theresa Brummer regarding accounting set up and related issues with accounts payable.	0.60 300.00/hr	180.00
8/21/2012	CS	Drafted e-mail to LBC membership director and assistant general manager with approved transfer of membership form attached. Met with seller of pending lot sale to inform him the transfer form had been approved.	5.00 225.00/hr	1,125.00
8/22/2012	CS	Met with staff to discuss changes in benefits package. Discussed winter season staffing with assistant general manager.	2.00 225.00/hr	450.00
	CS	Met with Property engineer to tour the water plant and waste treatment plant.	1.75 225.00/hr	393.75
	CS	Met with Accounting to get copy of asset inventory for the restaurant and winter employee schedule.	1.00 225.00/hr	225.00
	JRB	Telephone call to Theresa Brummer regarding accounts payable and cash issues.	0.40 300.00/hr	120.00
8/23/2012	KAM	Discussed employee and accounting issues with Charlie Stanford and Jim Begnaud. Drafted emails to Nicole Godwin regarding employee issues.	0.70 200.00/hr	140.00
	CS	Discussed LBC meeting with Kathy Malek and Jim Begnaud. Reviewed golf course management budget and discussed golf course superintendent concerns over his vendors past due account with Assistant General Manager and HFC team members.	1.70 225.00/hr	382.50
8/24/2012	CS	Reviewed budget items for off-season operations.	1.00 225.00/hr	225.00
	CS	Analyzed area of operation for cost saving in the operation of LBC.	2.83 225.00/hr	637.50

			<u>Hrs/Rate</u>	<u>Amount</u>
8/27/2012	CS	Attended update meeting on LBC current issues with Hays staff.	1.20 225.00/hr	270.00
	CS	Reviewed personnel plan for off-season of LBC.	1.20 225.00/hr	270.00
	CS	Analyzed lot inventory as part of asset inventory plan.	1.50 225.00/hr	337.50
	CS	Met with Assistant General Manager regarding pending grease disposal contract.	0.30 225.00/hr	67.50
	CS	Reviewed grease disposal contract and boat dock contract.	1.60 225.00/hr	360.00
	CS	Met with Assistant General Manager regarding remaining with existing contracts. Requested updated employee plan for the off-season.	0.17 225.00/hr	37.50
	HL	Performed review of case status with Hays and property staff.	2.00 350.00/hr	700.00
8/28/2012	CS	Prepared information for initial report to the courts.	3.50 225.00/hr	787.50
	CS	Reviewed terms of boat dock lease and payments to lessor.	0.50 225.00/hr	112.50
	HL	Reviewed operations issues including dock/IT issues, funding, payroll, and insurance.	1.00 350.00/hr	350.00
8/29/2012	CS	Prepared preliminary report for initial court reporting.	2.49 225.00/hr	559.88
	CS	Met with assistant general manager regarding weekend restaurant booking and golf reservations.	0.20 225.00/hr	45.00
	HL	Met with LBC regarding dock/IT issues, funding, payroll, and insurance.	1.00 350.00/hr	350.00
8/30/2012	HL	Held meetings regarding water and sewer, insurance and funding.	1.00 350.00/hr	350.00
		Subtotal	138.22	35,924.88

**Employee Benefits / Pensions**

8/1/2012	KAM	Discussed employee issues with Henry Lorber.	0.20 200.00/hr	40.00
8/7/2012	KAM	Telephone call to ADP regarding setup of new company for payroll processing.	0.30 200.00/hr	60.00
8/8/2012	KAM	Met with ADP and Jim Jennings to discuss payroll options.	1.70 200.00/hr	340.00
8/15/2012	KAM	Telephone calls from ADP regarding setup and orientation on the payroll and timekeeping systems. Telephone call to Nicole Godwin regarding her role in payroll and meeting set for next week.	0.60 200.00/hr	120.00
8/17/2012	KAM	Telephone calls to and from ADP and Nicole Godwin concerning ADP training and payroll questions. Telephone call to United Community Bank regarding set up of online banking. Prepared wire transfer of funds from United Community Bank to SunTrust Bank. Reviewed master control and sent to ADP for uploading.	3.30 200.00/hr	660.00
8/20/2012	KAM	Attended class on Time and Attendance with ADP in order to perform as backup to Nicole Godwin.	2.50 200.00/hr	500.00
	KAM	Discussed upcoming group meeting with Jim Begnaud, Charlie Stanford and Henry Lorber. Discussed healthcare coverage and COBRA under Reynolds account.	0.60 200.00/hr	120.00

		<u>Hrs/Rate</u>	<u>Amount</u>	
8/22/2012	KAM	Met with employees regarding benefits and payroll issues. Discussed payroll, HR and accounting issues with Nicole Godwin. Reviewed issues with Charlie Stanford.	3.70 200.00/hr	740.00
8/23/2012	KAM	Attended ADP class regarding new payroll system.	3.00 200.00/hr	600.00
8/24/2012	KAM	Conference call with ADP and Nicole Godwin regarding setup of new payroll system. Discussed tax issues and benefits.	1.50 200.00/hr	300.00
8/28/2012	KAM	Drafted email to Tracy Stevenson regarded plan for payment of payroll and heath/dental insurance going forward. Requested Worker's Comp classification codes from Reynolds companies to use for ADP quote. Drafted emails to Nicole Godwin. Discussed benefits issues with Henry Lorber and Jim Begnaud.	2.90 200.00/hr	580.00
8/30/2012	KAM	Attended online Time and Attendance conference. Discussed issues with ADP and Nicole Godwin. Reviewed and prepared wire of funds to Reynolds Companies for payroll and benefits. Discussed with Jim Begnaud.	2.10 200.00/hr	420.00
		Subtotal	22.40	4,480.00

Insurance

8/3/2012	SJ	Telephone calls with Mike Davis regarding general liability quote. Reviewed e-mails from and drafted e-mails to Mike Davis, Henry Lorber, and Charlie Stanford regarding the same. Reviewed general liability quote, property quote, and liquor liability application. Drafted e-mail to and reviewed e-mail from Jason LeBlanc regarding liquor liability application. Drafted e-mail to Mike Davis with completed liquor liability application attached. Meeting with Jim Begnaud, Henry Lorber, Kathy Malek, and Charlie Stanford regarding status of case. Reviewed e-mail from and drafted e-mail to Mike Davis with signed finance agreement attached.	1.40 125.00/hr	175.00
8/6/2012	SJ	Reviewed e-mail from Kayla Roszelle regarding application documents for general liability and property insurance policies. Reviewed applications, signed, and scanned the same. Drafted e-mail to Kayla Roszelle with signed documents attached.	0.30 125.00/hr	37.50
8/13/2012	SJ	Reviewed e-mail from Jim Begnaud regarding the status of auto and equipment insurance policies. Discussed the same with Charlie Stanford. Drafted e-mails to and reviewed e-mails from Kayla Roszelle and Mike Davis regarding the same. Reviewed e-mail from Charlie Stanford regarding the same.	0.30 125.00/hr	37.50
8/14/2012	SJ	Reviewed e-mails from and drafted e-mails to Charlie Stanford, Kayla Roszelle, and Mike Davis regarding equipment insurance policy. Reviewed binder and saved to G: drive. Drafted e-mail to Jason Leblanc with auto insurance card attached.	0.50 125.00/hr	62.50
8/15/2012	SJ	Reviewed e-mails from and drafted e-mails to Kayla Roszelle and Erin Shull regarding insurance coverage.	0.30 125.00/hr	37.50

			<u>Hrs/Rate</u>	<u>Amount</u>
8/17/2012	SJ	Reviewed policies and began updating insurance database with policy information.	0.50 125.00/hr	62.50
8/22/2012	SJ	Reviewed policies and updated entries in insurance database.	0.50 125.00/hr	62.50
8/23/2012	SJ	Reviewed e-mails from and drafted e-mails to Henry Lorber, Kim Robinson, and Kayla Roszelle regarding current insurance binders and policies.	0.30 125.00/hr	37.50
8/24/2012	SJ	Reviewed e-mails and amended property and general liability binders from Kayla Roszelle and drafted e-mails to Kayla regarding the same. Drafted e-mail to Kim Johnson with the amended binders attached and reviewed e-mail from her regarding the same.	0.30 125.00/hr	37.50
8/28/2012	SJ	Discussed workers comp insurance with Henry Lorber and Kathy Malek. Drafted e-mail to Mike Davis and Kayla Roszelle regarding obtaining workers comp insurance quote. Reviewed e-mail from and drafted e-mail to Mike Davis with payroll and OSHA history attached per Kathy Malek.	0.30 125.00/hr	37.50
8/29/2012	MHM	Reviewed email from Kathy Malek regarding worker compensation insurance and discussed placement of same with Mike Davis.	0.20 325.00/hr	65.00
	SJ	Reviewed e-mails from and drafted e-mails to Mike Davis and Kayla Roszelle regarding workers comp quote. Discussed the same with Kathy Malek. Telephone call with Mike Davis and Kayla Roszelle regarding the same.	0.30 125.00/hr	37.50
8/30/2012	SJ	Reviewed e-mail from and drafted e-mail to Kayla Roszelle regarding general liability policy. Drafted e-mail to Henry Lorber and Charlie Stanford regarding the same. Saved policy to G: drive.	0.20 125.00/hr	25.00
8/31/2012	SJ	Discussed auto insurance with Jim Begnaud. Drafted e-mail to Kayla Roszelle requesting name insured endorsement.	0.20 125.00/hr	25.00
Subtotal			5.60	740.00

Tax Issues

8/29/2012	KAM	Prepared application for unemployment number from Georgia Department of Labor. Applied for Georgia Dept of Revenue Withholding number. Worked with Franklin Street to get quote for Worker's Comp insurance. Attempted to get second quote from ADP.	2.10 200.00/hr	420.00
Subtotal			2.10	420.00

Travel

8/2/2012	JRB	Returned from development.	2.00 150.00/hr	300.00
	JRB	Traveled to development.	2.00 150.00/hr	300.00
	HL	Travel to and from takeover of asset	4.00 175.00/hr	700.00
	CS	Traveled to and from Lake Burton Club for meeting with club staff.	4.00 112.50/hr	450.00



Lake Burton Club dba Waterfall

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		<u>Hrs/Rate</u>	<u>Amount</u>
8/22/2012	KAM	Travel to meet with employees regarding benefits and payroll issues.	2.30 230.00 100.00/hr
	KAM	Travel from meeting with employees regarding benefits and payroll issues.	2.30 230.00 100.00/hr
	CS	Traveled to LBC for benefits meeting.	2.75 309.37 112.50/hr
	CS	Traveled back to Atlanta.	2.50 281.25 112.50/hr
		Subtotal	21.85 2,800.62
		<b>Subtotal of charges</b>	<b>\$47,403.00</b>
		Courtesy discount	(\$18,000.00)
		<b>For professional services rendered</b>	<b>200.27 \$29,403.00</b>

## Additional Charges :

	<u>Amount</u>
<u>Expenses</u>	
8/27/2012 Expense Report - Charlie Stanford week ended 8/4/12	162.07
Mileage: \$152.07	
Parking: \$10.00	
Expense Report - Jim Begnaud week ended 8/2/12	173.37
Mileage: \$110.94	
Meals: \$62.43	
Expense Report - Kathy Malek week ended 8/25/12	110.94
Mileage: \$110.94	
8/31/2012 Copying cost	6.90
Postage	19.35
Subtotal	472.63
Total costs	\$472.63
Total amount of this bill	\$29,875.63

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Lake Burton Club dba Waterfall - Acct

For the Period from 8/1/2012 to 8/31/2012

September 26, 2012

Professional Services

	<u>Hours</u>	<u>Amount</u>
Accounting	133.10	30,420.00
<b>Subtotal of charges</b>		<b>\$30,420.00</b>
Courtesy discount		(\$15,000.00)
<b>For professional services rendered</b>	<b>133.10</b>	<b>\$15,420.00</b>

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## Lake Burton Club dba Waterfall - Acct

For the Period from 8/1/2012 to 8/31/2012

September 26, 2012

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>Accounting</u>			
8/3/2012	JRB Reviewed listing of accounts payable.	0.50 300.00/hr	150.00
	JRB Email correspondence with Nicole Goodwin regarding accounting issues and questions.	1.50 300.00/hr	450.00
	JRB Reviewed and analyzed departmental operational statements for the club.	0.60 300.00/hr	180.00
	JRB Telephone call to Nicole Godwin regarding checking accounts and accounts payable.	0.50 300.00/hr	150.00
8/6/2012	JRB Telephone call from Rex Rohm of the Reynolds Companies regarding transfer of accounting and banking from them to HFC regarding the club.	0.40 300.00/hr	120.00
	JRB Telephone call from Tracy Stevenson of the Reynolds Companies regarding bank accounts related to the Lake Burton Club. Drafted correspondence to Nicole Godwin regarding same with instructions to contact Georgia Commerce Bank.	0.60 300.00/hr	180.00
	JRB Telephone call to Ivy Anderson of Georgia Commerce Bank regarding the LBC accounts.	0.40 300.00/hr	120.00
	JRB Meeting with Reynolds Companies personnel regarding the change over of management of the LBC.	1.50 300.00/hr	450.00
	JRB Telephone call and email correspondence to Nicole Godwin and Ivy Anderson regarding the LBC checking accounts and current presentments.	0.60 300.00/hr	180.00
	JRB Telephone call to Nicole Godwin regarding preparation of a 30-60-90 day cash forecast.	0.80 300.00/hr	240.00
	JRB Telephone conference with Nicole Godwin and Jason LeBlanc regarding the 30-60-90 day cash forecast.	0.40 300.00/hr	120.00
	JRB Reviewed and responded to email correspondence from Nicole Godwin and Tracy Stevenson regarding check stock, checking accounts and invoice set for payment.	0.40 300.00/hr	120.00
8/7/2012	JRB Reviewed, analyzed and edited 90 day cash forecast. Discussed same with Henry Lorber. Telephone calls and drafted email correspondence to Jason LeBlanc and Nicole Godwin regarding same.	1.50 300.00/hr	450.00
	JRB Continued preparation of 90 cash forecast for the club.	0.80 300.00/hr	240.00
	JRB Continued to prepare 90 day forecast. Telephone call to Jason LeBlanc regarding same. Discussed same with Charlie Stanford and Henry Lorber.	1.50 300.00/hr	450.00

		<u>Hrs/Rate</u>	<u>Amount</u>
8/7/2012	JRB Email correspondence with Jason LeBlanc and Mark Bellanger regarding the Jonas system and related training needed. Analyzed accounting needs. Email correspondence with Ivy Anderson of Georgia Commerce bank regarding signature cards and checking accounts.	1.00 300.00/hr	300.00
8/8/2012	JRB Prepared final draft of 90 cash forecast for submission to Commerce Bank.	0.50 300.00/hr	150.00
	JRB Reviewed available options for the Jonas point of sale and accounting software.	0.60 300.00/hr	180.00
	JRB Meeting with Jim Frenzel and Henry Lorber regarding case issues. Follow up discussions with Charlie Stanford regarding same.	1.00 300.00/hr	300.00
	JRB Downloaded LBC related files from the Reynolds Companies online data repository.	0.40 300.00/hr	120.00
8/9/2012	TB Phone conversation with J. Begnaud regarding options for general ledger conversion; research same for both QuickBooks and Peachtree; phone conversations with support for both programs as well as an outside conversion specialist recommended by Peachtree support.	1.10 200.00/hr	220.00
	JRB Discussion with Henry Lober regarding planning regarding transfer of accounting functions from Reynolds.	0.40 300.00/hr	120.00
	JRB Email correspondence with Nicole Godwin regarding returned items on the Georgia Commerce bank account for the country club.	0.60 300.00/hr	180.00
	JRB Meeting with Henry Lorber and Charlie Stanford regarding status of tasks and issues regarding the case.	0.60 300.00/hr	180.00
8/10/2012	TB Phone conversations with J. Begnaud regarding general ledger conversion options and bank account information. Phone conversation and various emails with K. Malek regarding bank account information, online access and check stock. Phone conversation with N. Godwin regarding accounts payable process, Jonas system and general ledger set up. Phone conversation with T. Stevenson regarding vendor information, beginning balance information and July financials; follow up email to J. Begnaud regarding same. Review Jonas CSV files from N. Godwin. Begin to review files Timberline files from T. Stevenson.	2.30 200.00/hr	460.00
	JRB Telephone call to Theresa Brummer to plan take over of accounting from Reynolds personnel.	0.50 300.00/hr	150.00
	JRB Telephone call to Georgia Commerce Bank regarding wire transfer and online access to the bank accounts.	0.40 300.00/hr	120.00
	JRB Telephone call to Nicole Godwin regarding accounting set up and procedures to process invoices and other information.	0.60 300.00/hr	180.00
	JRB Processed signature cards of Georgia Commerce Bank.	0.40 300.00/hr	120.00
8/12/2012	TB Review files from T. Stevenson to begin testing conversion options for general ledger and vendor information. Set up test company and conversion templates for chart of accounts, journal entries and vendor list; reconfigure general ledger account information of water and sewer entity and complete	3.50 200.00/hr	700.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	conversion testing. Reconfigure vendor information of country club entity and complete conversion testing. Email to N. Godwin requesting additional information regarding general ledger account coding and fiscal year.		
8/13/2012	KAM Drafted emails to United Community Bank regarding new account.	0.30 200.00/hr	60.00
	TB Reconfigure check format in Peachtree for new style check stock. Phone conversation and various emails with J. Begnaud regarding conversion of general ledger information. Various emails with N. Godwin and J. Begnaud regarding accounting issues and conversion issues. Begin preparing import files for country club entity.	2.80 200.00/hr	560.00
	JRB Discussion with Theresa Brummer regarding setting up accounting for the club. Continued to process the signature cards for Georgia Commerce Bank.	1.30 300.00/hr	390.00
8/14/2012	TB Phone conversation and emails with J. Begnaud regarding accounting issues; review accounts payable files from emails and left voice message for N. Godwin. Complete import files for country club entity; set up company in Peachtree and import chart of accounts, beginning balances and vendor list. Test vendor invoice entry for prior period entries.	2.60 200.00/hr	520.00
8/15/2012	TB Various emails and phone conversation with J. Begnaud regarding accounts payable issues and banking information. Various emails with N. Godwin regarding accounts payable information. Email to T. Stevenson regarding open accounts payable invoice information. Download templates to test journal imports; begin system testing. Review and respond to email from J. Begnaud regarding accounts payable and bank information. Begin reviewing vendor invoices for entry into accounting system.	3.10 200.00/hr	620.00
	JRB Telephone calls to and from Theresa Brummer regarding setting up accounts payable. Reviewed open invoices.	0.80 300.00/hr	240.00
8/16/2012	TB Various emails with N. Godwin regarding accounts payable processing. Phone conversation with J. Creek of Georgia Commerce Bank regarding online access; follow up email to J. Begnaud. Phone conversation with J. Begnaud regarding Sysco invoices and approval process. Review Sysco invoices and send email to N. Godwin regarding items that require clarification. Review files from T. Stevenson with outstanding accounts payable information; follow up email regarding same. Phone conversation with J. Begnaud regarding ADP general ledger issues; phone conversation with P. Rago of ADP regarding general ledger interface reports. Prepare manual vendor checks for invoices requiring immediate payment. Trip to The UPS Store to ship vendor checks to M. McClellan. Organize emails and download open vendor invoices corresponding to	4.80 200.00/hr	960.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	Reynolds final report; forward same to J. Begnaud for approval.		
8/16/2012 KAM	Telephone call and drafted emails to United Community Bank regarding new account. Telephone calls from ADP regarding orientation and class schedule for payroll and timekeeping system. Telephone call to Nicole Godwin regarding same. Reviewed details of payroll system. Drafted email to Charlie Stanford and Jim Begnaud regarding same. Scheduled time to go to Clayton for discussion with all employees.	2.20 200.00/hr	440.00
JRB	Reviewed invoices selected for payment.	0.50 300.00/hr	150.00
JRB	Reviewed issues and drafted emails to Henry Lorber and Jason LeBlanc regarding issues with the Sysco account.	0.50 300.00/hr	150.00
8/17/2012 TB	Phone conversation with J. Begnaud regarding online bank access, accounts payable issues and cash receipts tracking; email to N. Godwin regarding same. Set up test template to import accounts payable; test and edit as necessary; import additional vendors not on original list from N. Godwin; reconcile imported vendor invoice totals to report provided by Reynolds. Enter and apply manual checks issued to date. Phone conversation with J. Begnaud regarding vendor check for past due invoices; follow up email to N. Godwin regarding same. Prepare manual check and remittance listing. Trip to The UPS Store to ship vendor check.	5.20 200.00/hr	1,040.00
8/18/2012 TB	Forward email with current vendor invoices sent by N. Godwin on August 17, 2012, to J. Begnaud for approval; print same. Enter vendor invoices received August 15, 2012, into accounting system. Print past due vendor invoice copies from N. Godwin and begin to review invoices and reconcile to outstanding accounts payable list.	5.90 200.00/hr	1,180.00
8/19/2012 TB	Complete review of past due vendor invoices and reconciliation to outstanding accounts payable list; organize information in preparation for teleconference with J. Begnaud.	2.00 200.00/hr	400.00
8/20/2012 TB	Phone conversation with J. Begnaud regarding account payable issues for current and past due invoices. Prepare multiple emails and send to N. Godwin regarding various accounts payable issues and detail additional information and corrections required for processing. Prepare preliminary list of additional information to request from Reynolds; email same to J.	4.60 200.00/hr	920.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	Begnaud for review. Review vendor invoices received 8/17/12 and enter same into accounting system. Enter banking transactions to date. Set up general ledger account codes as necessary.		
8/21/2012 TB	Set up online access and review SunTrust Bank for recent activity; enter activity in accounting system and reconcile to date. Set up the water and sewer and holding company entities in Peachtree; import chart of accounts, beginning balances and vendors; enter accounts payable for water and sewer entity. Receive and review payroll register; phone conversation with J. Begnaud regarding same. Emails with J. Begnaud and K. Malek regarding online access for Georgia Commerce Bank and United Community Bank. Various emails from M. McClellan and J. Creek regarding online access for Georgia Commerce Bank.	4.80 200.00/hr	960.00
8/22/2012 TB	Review SunTrust Bank for recent activity; update Peachtree and reconcile to date. Receive and review vendor invoices; enter same into accounting system for payment. Generate open accounts payable listings and forward to N. Godwin and J. LeBlanc to prioritize for payment. Various emails with N. Godwin regarding accounts payable, cash and revenue issues. Attempt to reconcile payroll transfer with register from Reynolds. Emails with T. Stevenson regarding payroll information. Phone conversation and various emails with J. Begnaud regarding open items. Various emails from M. McClellan and J. Creek regarding online banking access.	3.10 200.00/hr	620.00
JRB	Reviewed accounts payable listing and drafted correspondence to Theresa Brummer to prepare a list of checks to be prepared.	0.60 300.00/hr	180.00
JRB	Drafted email to Theresa Brummer regarding the current payroll register and prepared a report to verify amount of cash requested by Reynolds.	0.30 300.00/hr	90.00
8/23/2012 TB	Review SunTrust Bank for recent activity. Phone conversation with K. Malek regarding accounting issues. Phone conversations with J. Begnaud and M. McClellan regarding online set up with Georgia Commerce Bank; review website for August activity. Review Reynolds payroll detail from ADP and spreadsheet from T. Stevenson against payroll register. Review responses on accounts payable issues from N. Godwin; update accounting system for vendor information and vendor invoices; replace paper invoices where necessary with coded and approved versions. Teleconference with N. Godwin regarding cash and revenue processes. Receive and review accounts payable from EFT	7.50 200.00/hr	1,500.00



		<u>Hrs/Rate</u>	<u>Amount</u>
	transactions; emails with N. Godwin regarding same; enter EFT transactions into accounting system. Prepare and enter journal entries to record cash activity for August month to date; begin to reconcile Georgia Commerce Bank operating account; email to N. Godwin regarding open issues.		
8/23/2012 JRB	Telephone calls Theresa Brummer accounts payable. Reviewed listing of aged payables to pay.	1.20 300.00/hr	360.00
8/24/2012 TB	Review SunTrust Bank and Georgia Commerce Bank for recent activity; update Peachtree and reconcile SunTrust to date. Various emails with N. Godwin regarding banking and accounts payable issues. Enter vendor invoices into Peachtree and prepare open accounts payable report in Excel format. Complete reconciliation of Georgia Commerce Bank account to date and prepare cash position report for J. Begnaud. Phone conversation with J. Begnaud regarding cash position and accounts payable status. Review and set up journal entries for the first week of sales activity from Jonas system; import same into Peachtree. Email to N. Godwin requesting remainder of Jonas information for August to date. Email requests for funds transfers in preparation for vendor check run. Phone conversation with J. Begnaud and emails with J. LeBlanc, N. Godwin and J. Begnaud regarding vendor invoices for first check run. Various emails with T. Stevenson regarding information requested for conversion. Pull vendor invoices designated for payment and verify total funds. Generate vendor checks and prepare for shipping to M. McClellan for signature. Scan vendor checks and check register and email to N. Godwin.	8.40 200.00/hr	1,680.00
JRB	Telephone calls to and from Theresa Brummer regarding the cash position and accounts payable. Reviewed and analyzed listing of payables.	1.60 300.00/hr	480.00
JRB	Continued review of open accounts payable.	0.60 300.00/hr	180.00
JRB	Calculated available cash to pay account payable.	0.60 300.00/hr	180.00
8/25/2012 TB	Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking activity as necessary; update Peachtree and reconcile both accounts to date. Trip to The UPS Store to ship checks. Set up vendor files; file vendor payment records generated to date; sort and file open vendor invoices.	3.20 200.00/hr	640.00
8/26/2012 TB	Review and set up journal entries for August 8th through 23rd sales activity from Jonas system; import same into Peachtree. Review payroll files from T. Stevenson; prepare and enter journal entry for August 23rd payroll.	1.90 200.00/hr	380.00
8/27/2012 TB	Download digital certificate from ADP and install software required for general ledger training. Various emails with N. Godwin regarding vendor payments and lease agreements. Email to J. Begnaud and M. McClellan regarding vendor checks. Phone call to The	3.80 200.00/hr	760.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	UPS Store to inquire about shipment exception report; follow up email to M. McClellan and J. Begnaud regarding same. Phone call with T. Stevenson regarding entities involved in receivership; research entities on Georgia Secretary of State website; emails with J. Begnaud regarding same. Enter new vendor invoices into Peachtree; emails with N. Godwin regarding same; file pending vendor invoices. Set up new vendor and update vendor information as necessary. Print vendor check and prepare for mailing to J. Begnaud.		
8/27/2012	JRB Meeting with Henry Lorber, Kathy Malek and Charlie Stanford regarding status of the property and outstanding issues.	1.00 300.00/hr	300.00
	JRB Email correspondence to and from Theresa Brummer regarding accounts payable and pending issues.	0.60 300.00/hr	180.00
	JRB Processed invoices for payment.	0.40 300.00/hr	120.00
	JRB Processed vendor checks for mailing.	0.80 300.00/hr	240.00
	JRB Email correspondence with Tracy Stevenson regarding legal entities covered by the Receivership Order.	0.40 300.00/hr	120.00
8/28/2012	TB Phone conversation with J. Begnaud regarding lease payments and cash projection. Begin to review original cash projection. Scan and send vendor payment information to N. Godwin from manual checks dated August 17, 2012. Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking activity as necessary; update Peachtree and reconcile to date. Emails with N. Godwin regarding vendor payment issues. Additional phone conversations and emails with J. Begnaud regarding vendor payment issues; review open accounts payable; enter September lease invoices and print vendor checks for same as well as utilities; prepare checks for mailing to J. Begnaud. Trip to The UPS Store to ship checks.	4.50 200.00/hr	900.00
	JRB Telephone call from Theresa Brummer regarding September lease payments.	0.60 300.00/hr	180.00
	JRB Reviewed LLC operating agreements for the four Receivership related entities. Prepared organizational chart.	0.60 300.00/hr	180.00
	JRB Email correspondence to and from Henry Lorber, Jason LeBlanc and Nicole Godwin regarding the dock lease and the payments regarding same.	1.30 300.00/hr	390.00
8/29/2012	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking activity as necessary; update Peachtree and reconcile to date. Emails with N. Godwin regarding banking activity. Phone conversation with N. Godwin regarding vendor issues and lease payments. Phone conversation with J. Begnaud regarding preparation of cash projection for receiver funding; review previous projection prepared by N. Godwin. Prepare draft of rolling cash projection and email to J. Begnaud; multiple phone conversations	6.80 200.00/hr	1,360.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	regarding same; begin making changes as discussed. Set up all recurring lease payments in Peachtree; email to N. Godwin regarding same. File vendor payment records in vendor files; set up additional files as necessary. Review and enter vendor invoices into Peachtree; set up new vendors as necessary; email to N. Godwin regarding accounts payable issues.		
8/29/2012	JRB Telephone call from Theresa Brummer regarding preparation of the Receiver's first report.	0.40 300.00/hr	120.00
	JRB Processed check for payment and release regarding the dock contract rental.	0.60 300.00/hr	180.00
	JRB Telephone call to Theresa Brummer regarding the cash flow analysis for the Receiver's status report.	0.70 300.00/hr	210.00
8/30/2012	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking activity as necessary; update Peachtree and reconcile to date. Phone conversation and emails with N. Godwin regarding vendor and accounts payable issues; enter vendor invoices in Peachtree, prepare report of vendor activity to date and email same to N. Godwin. Review depreciation schedules and bank reconciliations from T. Stevenson. Phone conversation with J. Begnaud regarding preparation of rolling cash projection; continue work on rolling cash projection. Attend ADP training for general ledger interface.	5.50 200.00/hr	1,100.00
	JRB Telephone call to Theresa Brummer regarding accounting issues and status of cash and accounts payable.	0.60 300.00/hr	180.00
	JRB Discussions with Kathy Malik regarding COBRA payment of \$18,500 to be paid. Discussed workers compensation policy and related premium,	1.60 300.00/hr	480.00
8/31/2012	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking activity as necessary; update Peachtree and reconcile to date. Update draft of rolling cash projection and email same to J. Begnaud for review; follow up phone conversation and emails; make additional changes and email to J. Begnaud for final review. Review and enter vendor invoices into Peachtree. Prepare register report for Georgia Commerce Bank and email to N. Godwin for reconciliation to her cash log. Emails with N. Godwin regarding download files from Jonas system. Review bank and accounts payable information from July 31, 2012 on holding company and water and sewer entities; email to T. Stevenson requesting open invoice listing for each company. Various emails with N. Godwin regarding vendor invoice, cash information and reports available for month end close. Review and enter vendor invoices; email to N. Godwin regarding issues with same.	5.20 200.00/hr	1,040.00
	JRB Reviewed and analyzed cash projections for the next sixty days. Discussed same with Theresa Brummer and Henry Lober.	1.10 300.00/hr	330.00
	JRB Reviewed invoice relating to the hill slide issue.	0.30 300.00/hr	90.00

Lake Burton Club dba Waterfall - Acct

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	<u>Hrs/Rate</u>	<u>Amount</u>
Subtotal	133.10	30,420.00
<b>Subtotal of charges</b>		<b>\$30,420.00</b>
Courtesy discount		<u>(\$15,000.00)</u>
<b>For professional services rendered</b>	<b>133.10</b>	<b>\$15,420.00</b>

JAMES C. FRENZEL, P.C.

ATTORNEYS AT LAW  
SUITE 155, EAST TOWER  
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3343 PEACHTREE ROAD, N.E.  
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JAMES C. FRENZEL (GA & NC)  
jcf-bklaw@mindspring.com

ERIC J. SILVA  
ejs-bklaw@mindspring.com

September 5, 2012

Mr. Henry P. Lorber, Managing Director  
c/o Hays Financial Consulting, LLC  
Suite 200, East Tower  
3343 Peachtree Road, NE  
Atlanta, GA 30326

via hand delivery

Re: *United Community Bank ("UCB") v. SELAF Waterfall Development Company, et al; Civil Action File No. 2012-CV-0315 (the "Civil Action"); Hays Financial Consulting, LLC, Receiver (the "Receiver") for Lake Burton Club (the "Receivership")*

Dear Henry,

Enclosed herewith is our initial statement for services rendered and expenses advanced for the period beginning with your appointment as the Receiver, August 1, through August 31, 2012.

If you have any questions concerning the enclosed, please contact us.

Best personal regards.

Sincerely,

  
James C. Frenzel

JCF/mcs  
Enclosure

James C. Frenzel, P.C.  
3343 Peachtree Rd, NE  
Suite 155, East Tower  
Atlanta, GA 30326  
Phone: 404-266-9961

September 5, 2012  
Billed as of 8/31/12

Hays Financial Consulting, LLC  
c/o Mr. Henry P. Lorber  
3343 Peachtree Road, NE  
Suite 200  
Atlanta, Georgia 30326

Re: Fees and Disbursements – August 1, 2012, through August 31, 2012

**BILLING SUMMARY**

James C. Frenzel	8.50 hrs	400.00/hr	3,400.00
Eric J. Silva	8.50 hrs	200.00/hr	1,700.00
TOTAL FEES			17.00 hrs
TOTAL DISBURSEMENTS			
TOTAL CHARGES FOR THIS BILL			
TOTAL BALANCE DUE:			

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	\$	5,100.00
	\$	2.95
	\$	5,102.95
	\$	5,102.95

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FEDERAL TAX ID # 58-2194236

		<u>Hrs/Rate</u>	<u>Amount</u>
	Henry Lorber re: engagement letter (.1); conference with Henry Lorber and obtain documents and engagement letter (.2).		
8/13/2012	EJS Review email from Jim Frenzel re: dock lease and analyze terms of lease (.3).	0.30 200.00/hr	60.00
8/15/2012	JCF Emails from and to Henry Lorber and Charlie Stanford re: water, sewer, and sale of lot/transfer of membership (.2); review documents re: sewer, water, and membership transfer (.2).	0.40 400.00/hr	160.00
	EJS Conference with Jim Frenzel re: boat dock and membership (.2); review usage agreement and conference with Jim Frenzel; draft and send update to Henry Lorber re: use of dock (.3).	0.50 200.00/hr	100.00
8/16/2012	JCF Emails to Henry Lorber and Charlie Stanford re: dock lease and development; operations (.2); emails to and from Henry Lorber and Charlie Stanford re: sewer and water payment (.1); email from Tom Raines re: Lake Burton Club POA, set off, and the Receiver; meeting logistics, declarations, and common area maintenance (.3); emails from Henry Lorber re: agreements/meeting (.1).	0.70 400.00/hr	280.00
8/17/2012	EJS Review membership agreement and revise (1.0); draft and send email to Charlie Stanford re: transfer of membership (.2); conference with Jim Frenzel re: transfer of membership (.4); draft and send email re: membership agreement and transfer (.4); review documents from Charlie Stanford (.2); draft and send email to Charlie Stanford (.2); conference with Charlie Stanford and Jim Frenzel re: agreement (.1); draft transfer agreement and conference with Jim Frenzel (2.8).	5.30 200.00/hr	1,060.00
8/20/2012	JCF Emails to and from Charlie Stanford and Eric Silva re: club membership transfer (.1); conference with Eric Silva re: membership transfer rules and regulations (.1); internal procedure for membership transfer (.1); membership transfer determination (.1); membership transfer with Eric Silva (.1); conference with Charlie Stanford and emails to and from Henry Lorber and Charlie Stanford re: membership rules and transfers (.2); review and revise temporary membership agreement for owner and purchaser with Eric Silva; forward to Henry Lorber and Charlie Stanford (.5).	1.20 400.00/hr	480.00
8/21/2012	JCF Telephone call with John Milner re: lot sale and membership transfer (.1); lot sales with Jim Begnaud and Charlie Stanford (.1).	0.20 400.00/hr	80.00
8/29/2012	JCF Emails to and from Henry Lorber and Bert Williams re: dock lease; correspondence from Moore and Reese re: structural concerns and breach of contract (.3); response to Mindy Waitsman for POA; confirm meeting with the board and POA; revise correspondence to Mindy Waitsman (.4);	1.00 400.00/hr	400.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	correspondence to POA counsel (.1); telephone call with Henry Lorber re: Bert Williams lease termination and response (.2).		
8/30/2012	JCF	0.20	80.00
	Conference with Eric Silva re: waterfall use, dock lease agreement, and termination response (.2).	400.00/hr	
	EJS	0.30	60.00
	Conference with Jim Frenzel re: dock lease (.3).	200.00/hr	
8/31/2012	JCF	0.60	240.00
	Conference with Henry Lorber re: response to lease and construction demand (.1); review King & Spalding response to Moore & Reese demand from Henry Lorber (.1); emails to and from Henry Lorber, et al. re: letters and copies as requested by Paul Durdaller (.2); conference with Eric Silva re: dock lease termination and response (.1); emails to and from Henry Lorber re: dock lease and response (.1).	400.00/hr	
	EJS	0.60	120.00
	Review dock lease (.3); conference with Jim Frenzel re: dock lease (.3).	200.00/hr	

## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eric J. Silva	8.50	200.00	\$1,700.00
James C. Frenzel	8.50	400.00	\$3,400.00
For professional services rendered		17.00	\$5,100.00
Additional Charges :			
8/31/2012 Total postage expense for the month of August, 2012.			0.45
Total photocopy expense for the month of August, 2012.			2.50
Total additional charges			\$2.95
For professional services rendered		17.00	\$5,102.95
Total amount of this bill			\$5,102.95



# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

Lake Burton Club dba Waterfall - Receiver

For the Period from 9/1/2012 to 9/30/2012

October 18, 2012

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
Charlie Stanford	40.70	8,088.75
	198.74/hr	
Colt Conner, CFE	3.50	612.50
	175.00/hr	
Henry Lorber	40.90	14,315.00
	350.00/hr	
James R. Begnaud, CPA	12.70	3,810.00
	300.00/hr	
Michael H. McClellan, CFE	1.10	357.50
	325.00/hr	
Samantha Jose	1.00	125.00
	125.00/hr	
<b>Subtotal of charges</b>		<b>\$27,308.75</b>
Fee adjustment discount for capped rate		<b>(\$2,333.75)</b>
<b>For professional services rendered</b>	<b>99.90</b>	<b>\$24,975.00</b>

**Actual Blended Rate/Hour** **\$273.36**

**Capped Blended Rate/Hour** **\$250.00**

**Adjustment to Invoice** **(\$2,333.75)**

## Additional Charges :

Copying Cost	6.75
Expense Reports	456.23
Fax	0.50
Postage	7.65
<b>Total costs</b>	<b>\$471.13</b>

**Total amount of this bill** **\$25,446.13**

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Lake Burton Club dba Waterfall - Receiver

For the Period from 9/1/2012 to 9/30/2012

October 18, 2012

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
Business Analysis	2.90 300.00/hr	870.00
Business Operations	45.60 281.52/hr	12,837.50
Case Administration	33.50 305.97/hr	10,250.00
Fee / Employment Applications & Objection	2.50 195.00/hr	487.50
Insurance	1.90 207.89/hr	395.00
Travel	13.50 182.87/hr	2,468.75
<b>Subtotal of charges</b>		<b>\$27,308.75</b>
Fee adjustment discount for capped rate		<b>(\$2,333.75)</b>
<b>For professional services rendered</b>	<b>99.90</b>	<b>\$24,975.00</b>

## Additional Charges :

Copying Cost	6.75
Expense Reports	456.23
Fax	0.50
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<b>Total costs</b>	<b>\$471.13</b>

**Total amount of this bill**

**\$25,446.13**

# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

## Lake Burton Club dba Waterfall - Receiver

For the Period from 9/1/2012 to 9/30/2012

October 18, 2012

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>Business Analysis</u>			
9/4/2012	JRB Edited and analyzed cash forecast.	0.80 300.00/hr	240.00
9/18/2012	JRB Continued review and analysis of forecast.	0.60 300.00/hr	180.00
9/19/2012	JRB Reviewed and commented on final draft of cash forecast.	0.60 300.00/hr	180.00
	JRB Reviewed and commented on final draft of cash forecast.	0.60 300.00/hr	180.00
	JRB Reviewed current cash position and requested listing of vendor invoices to be paid.	0.30 300.00/hr	90.00
	Subtotal	2.90	870.00
<u>Business Operations</u>			
9/4/2012	MHM Reviewed and authorized wire transfer requested by Theresa Brummer.	0.20 325.00/hr	65.00
	CS Met with Receiver counsel to review agenda and documents for POA meeting on September 5, 2012.	1.00 225.00/hr	225.00
9/5/2012	JRB Reviewed emails regarding wire transfer to cover payroll. Reviewed email from Tracy Stevenson regarding open issues with Reynolds. Reviewed email from Georgia Commerce Bank regarding wire transfer.	0.60 300.00/hr	180.00
	JRB Reviewed email correspondence to and from Jason LeBlanc, Nicole Godwin, Henry Lorber and Theresa Brummer regarding case issues and responded regarding same.	0.80 300.00/hr	240.00
	JCC Exchanged emails with Rusty Lane and Henry Lorber regarding water bill payment for Waterfall.	0.20 175.00/hr	35.00
	CS Met with Property Owners Association members and their counsel to discuss status of Lake Burton Club operations, potential hill sliding near golf course hole number 2, and road conditions. Receiver's attorney and Henry Lorber in attendance at meeting.	2.00 225.00/hr	450.00
9/6/2012	JRB Reviewed and analyzed invoices for payment this week. Telephone and email correspondence with Theresa Brummer and Nicole Godwin regarding same. Discussed same with Henry Lorber.	0.70 300.00/hr	210.00
	JRB Prepared information and invoices related to the hill slide escrow and discussed same with Henry Lorber.	0.40 300.00/hr	120.00

Lake Burton Club dba Waterfall - Receiver

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		<u>Hrs/Rate</u>	<u>Amount</u>
9/7/2012	MHM Reviewed and signed vendor payment checks.	0.20 325.00/hr	65.00
	CS Met with Mike Young golf course designer to view course for maintenance issues and changes to reduce budget. Henry Lorber, Will Osteen and Jason LeBlanc were in attendance.	2.80 225.00/hr	630.00
	CS Met with engineer from Willmer Engineering to view hill that is being monitored for sliding issue. Viewed several road sites that were damaged.	3.20 225.00/hr	720.00
	CS Met with assistant general manager, golf course superintendent and superintendent replacement to discuss management transition. Discussed staffing needs for off-season and winter closing schedule.	1.50 225.00/hr	337.50
	HL Participated in site visit. Discussions with United Community Bank, Lake Burton Club, and Receiver staff concerning hill slide issue, Property Owners Association, golf course maintenance, memberships, operations, and Williams.	8.00 350.00/hr	2,800.00
9/10/2012	CS Reviewed and compiled inventory list of club assets from reports submitted by employees of Lake Burton Club.	1.50 225.00/hr	337.50
9/12/2012	JRB Telephone calls to and from Theresa Brummer regarding cash position and information on vendors and other high priority expenses to pay. Continued development of the cash forecast model.	1.30 300.00/hr	390.00
9/14/2012	MHM Reviewed email from Theresa Brummer regarding operating account. Telephone call and confirmation email to James Creek establishing account debit hold on same.	0.30 325.00/hr	97.50
	CS Reviewed proposed winter staffing schedule submitted by general manager and proposed golf course maintenance program.	1.00 225.00/hr	225.00
9/17/2012	MHM Reviewed wire transfer request and approved same to Georgia Commerce Bank.	0.20 325.00/hr	65.00
	HL Reviewed operations, funding issues, and six month budget.	3.00 350.00/hr	1,050.00
9/18/2012	HL Reviewed operations, funding issues, and six month budget. Met with counsel in preparation for Property Owners Association meeting.	3.00 350.00/hr	1,050.00
	CS Reviewed revised 90 day forecast of cash flow and personnel changes.	1.00 225.00/hr	225.00
	CS Prepared and reviewed documents related to the deferred maintenance of the club for Property Owners Association meeting on September 19th.	1.00 225.00/hr	225.00
9/19/2012	HL Prepared for meeting with Property Owners Association. Met with Property Owners Association board. Finalized and presented budget to secured creditors.	3.00 350.00/hr	1,050.00
9/20/2012	CS Researched and reviewed the agreement between SELAF and the POA to change the management structure of the Lake Burton Club.	1.00 225.00/hr	225.00
9/21/2012	JRB Processed vendor checks for payment. Discussions with Kathy Malek and Theresa Brummer regarding wire transfer.	0.60 300.00/hr	180.00
	JRB Telephone call to and from Theresa Bremmer and discussions with Kathy Malek regarding wire transfer.	0.30 300.00/hr	90.00

Lake Burton Club dba Waterfall - Receiver

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		<u>Hrs/Rate</u>	<u>Amount</u>
9/21/2012	MHM Reviewed and signed vendor payment checks.	0.20 325.00/hr	65.00
9/24/2012	CS Reviewed slope report for Waterfall Drive in Lake Burton Development. Ordered update copies of recent studies from Willmer Engineering.	1.40 225.00/hr	315.00
9/25/2012	CS Reviewed issue surrounding bridge repairs near hole 8 on golf course. Determined that pedestrian build was functional and did not need repair. Requested information regarding cart path bridge near hole 8 from Gary Speed.	1.20 225.00/hr	270.00
9/26/2012	CS Prepared agenda and research for the Property Owners Association and club members meeting on October 28th.	1.50 225.00/hr	337.50
	CS Discussed inclinometer reading on hill slide with Stanley Schwartz of Willmer Engineering, as reports sent were only numerical reading with no written explanation.	0.50 225.00/hr	112.50
	CS Gather information for potential major reduction in operations at Lake Burton Club. Jason LeBlanc provided information on pool usage and list of persons that use the pool.	1.00 225.00/hr	225.00
9/27/2012	CS Discussed FCC requirement to change to narrowband width for golf course sprinkler system with golf course superintendent Ian Murphy and contractor Nate Moss. Need to perform site survey and RF strength test before foliage cover disappears.	1.00 225.00/hr	225.00
	Subtotal	45.60	12,837.50

Case Administration

9/1/2012	CS Met with assistant general manager to discuss attendance at member event on Friday evening number of meals scheduled for remainder of weekend. Discussed staffing needs for off season and winter shut down dates. Met with golf pro to discuss rounds for weekend.	3.20 225.00/hr	720.00
9/4/2012	HL Conversations and meetings with counsel, United Community Bank, Lake Burton Club, and Receiver staff concerning Property Owners Association, water and sewer, road and slide issues.	2.40 350.00/hr	840.00
9/5/2012	HL Conversations Lake Burton Club and Receiver staff concerning payroll issues.	1.00 350.00/hr	350.00
9/6/2012	HL Preparation for site visit. Discussions with United Community Bank, Lake Burton Club, and Receiver staff concerning hill slide issue and Property Owners Association.	2.00 350.00/hr	700.00
9/7/2012	JRB Prepared receivers first interim report.	1.10 300.00/hr	330.00
9/8/2012	JRB Continued preparation of Receivers First Interim Report.	1.30 300.00/hr	390.00
9/10/2012	JRB Prepared accounting and administration sections of the first interim status report.	0.60 300.00/hr	180.00
	CS Reviewed and made corrections to the interim report to the court.	1.40 225.00/hr	315.00
	HL Preparation of Receiver's First Report. Discussions with JT Williams, United Community Bank, Lake Burton Club, and Receiver staff.	4.00 350.00/hr	1,400.00

**Lake Burton Club dba Waterfall - Receiver**

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			<u>Hrs/Rate</u>	<u>Amount</u>
9/11/2012	JCC	Reviewed and responded to emails from Henry Lorber regarding creation of website for interested parties. Created website accordingly and uploaded data to same.	1.00 175.00/hr	175.00
	JCC	Reviewed and responded to emails from Henry Lorber regarding addition of items to website..Added documents accordingly.	0.20 175.00/hr	35.00
	HL	Finalized and filed Receiver's First Report. Meetings with counsel, JT Williams, United Community Bank, Lake Burton Club, and Receiver staff.	4.00 350.00/hr	1,400.00
9/12/2012	HL	Met with counsel, Willmer Engineering, United Community Bank, Lake Burton Club, and Receiver staff concerning Property Owners Association, water and sewer, road, and slide issues.	3.00 350.00/hr	1,050.00
	JRB	Discussions with Henry Lorber regarding cash needs for the next 90 days. Telephone call to Donnie Chapman regarding same.	0.80 300.00/hr	240.00
9/19/2012	CS	Met with Property Owners Association and club members regarding current status of Club.	2.00 225.00/hr	450.00
9/24/2012	HL	Telephone calls with JT Williams, reviewed order, and reviewed budgets.	2.00 350.00/hr	700.00
	HL	Met with counsel and Receiver staff concerning funding issues.	1.50 350.00/hr	525.00
9/27/2012	CS	Met with Receiver's counsel to discuss legal implications of a total shutdown of Lake Burton Club.	0.50 225.00/hr	112.50
9/28/2012	CS	Discussed road safety issue with Ian Murphy and reviewed cost proposal for additional signs.	1.00 225.00/hr	225.00
	CS	Reviewed and submitted hill slide report and engineer's updated reading to lender.	0.50 225.00/hr	112.50
		Subtotal	33.50	10,250.00

**Fee / Employment Applications & Objection**

9/10/2012	JCC	Prepared prebill for Receiver and Accountants. Performed review and edit of same.	0.90 175.00/hr	157.50
9/20/2012	JRB	Reviewed Receivership order for specific instruction to file fee applications.	0.40 300.00/hr	120.00
9/24/2012	JCC	Performed review and edit of Receiver invoice for August 2012.	1.20 175.00/hr	210.00
	Subtotal		2.50	487.50

**Insurance**

9/18/2012	SJ	Discussed general liability, property, equipment, auto, and workers compensation insurance policy costs with Henry Lorber and drafted e-mail to Henry Lorber regarding the same. Drafted e-mails to and reviewed e-mails from Kathy Malek and Theresa Brummer regarding workers compensation premium payments and forwarded the same to Henry Lorber.	0.30 125.00/hr	37.50
9/19/2012	JRB	Reviewed property and general insurance and discussed same with Samatha Jose to query the agency for information regarding the down payment and the monthly finance premiums.	0.40 300.00/hr	120.00

**Lake Burton Club dba Waterfall - Receiver**

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		<u>Hrs/Rate</u>	<u>Amount</u>
9/19/2012	JRB Telephone call to Mike Davis regarding property and casualty insurance policy. Discussed same with Samatha Jose and Theresa Brummer.	0.50 300.00/hr	150.00
9/20/2012	SJ Discussed general liability and property policy payments with Jim Begnaud. Drafted e-mails to and reviewed e-mails from Kayla Roszelle and Jim Begnaud regarding the same.	0.30 125.00/hr	37.50
9/26/2012	SJ Reviewed workers compensation policy. Created entry for workers compensation policy in insurance database.	0.40 125.00/hr	50.00
	Subtotal	1.90	395.00

**Travel**

9/1/2012	CS Traveled to LBC to meet with assistant general manager.	2.50 112.50/hr	281.25
	CS Traveled from LBC to residence.	2.50 112.50/hr	281.25
9/7/2012	CS Traveled to LBC for meeting with Golf Course maintenance firm and engineer.	2.50 112.50/hr	281.25
	CS Traveled to residence from LBC.	2.00 112.50/hr	225.00
	HL Travel to and from site visit	4.00 350.00/hr	1,400.00
	Subtotal	13.50	2,468.75

<b>Subtotal of charges</b>		<b>\$27,308.75</b>
Fee adjustment discount for capped rate		(\$2,333.75)
<b>For professional services rendered</b>	<b>99.90</b>	<b>\$24,975.00</b>

**Lake Burton Club dba Waterfall - Receiver**

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**Additional Charges :**

	<u><b>Amount</b></u>
<u><b>Expenses</b></u>	
9/12/2012 Expense Report - Charlie Stanford week ended 8/22/12	181.96
Mileage: \$144.30	
Meals: \$37.66	
9/21/2012 Expense Report - Henry Lorber week ended 9/15/12	274.27
Photocopies: \$10.27	
Mileage: \$264.00	
9/30/2012 Copying cost	6.75
Fax	0.50
Postage	7.65
Subtotal	<u>471.13</u>
<b>Total costs</b>	<u><b>\$471.13</b></u>
<b>Total amount of this bill</b>	<u><u><b>\$25,446.13</b></u></u>



# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

Lake Burton Club dba Waterfall - Acct

For the Period from 9/1/2012 to 9/30/2012

October 15, 2012

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
James R. Begnaud, CPA	7.20 300.00/hr	2,160.00
Kathryn A. Malek, PHR	10.20 200.00/hr	2,040.00
Theresa Brummer	95.80 200.00/hr	19,160.00
<b>Subtotal of charges</b>		<b>\$23,360.00</b>
Courtesy discount		(\$10,000.00)
<b>For professional services rendered</b>	<b>113.20</b>	<b>\$13,360.00</b>

## Additional Charges :

Federal Express	46.75
Miscellaneous	194.38
<b>Total costs</b>	<b>\$241.13</b>

<b>Total amount of this bill</b>	<b>\$13,601.13</b>
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# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

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Lake Burton Club dba Waterfall - Acct

For the Period from 9/1/2012 to 9/30/2012

October 15, 2012

Professional Services

	<u>Hours</u>	<u>Amount</u>
Accounting	104.90	21,700.00
Employee Benefits / Pensions	8.30	<u>1,660.00</u>
<b>Subtotal of charges</b>		<b>\$23,360.00</b>
Courtesy discount		<u>(\$10,000.00)</u>
<b>For professional services rendered</b>	<b>113.20</b>	<b>\$13,360.00</b>

Additional Charges :

Federal Express	46.75
Miscellaneous	<u>194.38</u>
<b>Total costs</b>	<b>\$241.13</b>

<b>Total amount of this bill</b>	<b><u>\$13,601.13</u></b>
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# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
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## Lake Burton Club dba Waterfall - Acct

For the Period from 9/1/2012 to 9/30/2012

October 15, 2012

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
	<u>Accounting</u>		
9/3/2012 TB	Review cash log from N. Godwin against general ledger account. Download SunTrust Bank statement for August and reconcile same. Update Peachtree for Georgia Commerce Bank information for country club entity. Update Peachtree for holding company reserve account activity. Prepare Jonas file for import into Peachtree and attempt to import; email to N. Godwin regarding general ledger coding issue.	1.20 200.00/hr	240.00
9/4/2012 TB	Research vendor invoices and respond to emails from J. LeBlanc and J. Begnaud. Reverse outstanding checks on holding company entity due to receiver hold on bank account; enter vendor invoices to record liabilities for same. Review and respond to email from J. Begnaud; update projected cash position after payroll funding; phone conversations with J. Begnaud regarding same. Prepare and send email to J. Creek to initiate wire transfer for payroll funds. Reconcile United Community Bank account to date. Record transfer and wire activities for payroll funding.	2.70 200.00/hr	540.00
9/5/2012 KAM	Prepared wire transfer instructions in preparation for funding payroll. Drafted emails to Tracy Stevenson regarding payroll, email conversion and vision insurance.	0.90 200.00/hr	180.00
TB	Enter vendor invoices for September and file same. Enter correction for August 29, 2012 Jonas file from N. Godwin and import same into Peachtree. Review and reformat August 31, 2012 Jonas file; import same into Peachtree. Generate preliminary general ledger report and email to N. Godwin for review. Research payroll entries for July and early August.	3.00 200.00/hr	600.00
TB	Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions and emails with N. Godwin regarding Fintech invoices not yet received; enter same in Peachtree update and reconcile to date. Various emails with N. Godwin regarding vendor issues, vendor invoices, research vendor payment, etc. Various emails with N. Godwin regarding Jonas download information for previous file; receive and review final file for August; email to N. Godwin regarding issues with final Jonas file.	1.30 200.00/hr	260.00

		<u>Hrs/Rate</u>	<u>Amount</u>
9/5/2012	TB Set up vendors as necessary; request additional W-9 for pending check request. Enter vendor invoices for August and file same. Receive and review open vendor invoices from J. Reynolds for water and sewer entity. Phone conversation with J. Begnaud regarding vendor and month end close issues.	2.90 200.00/hr	580.00
9/6/2012	TB Enter additional vendor invoices received late afternoon; file open vendor invoices and paid invoices; set up new files as necessary. Sort and file bank and month end close information for all three entities.	1.20 200.00/hr	240.00
	TB Update cash position and accounts payable; enter new vendor invoices; set up new vendors as necessary. Phone conversation with J. Begnaud regarding cash position and critical vendor payments; prepare and send vendor reports to N. Godwin and J. LeBlanc to review for critical needs.	2.40 200.00/hr	480.00
	TB Various emails with N. Godwin regarding vendor issues, sales and use tax and month end close process. Emails with and phone call to J. Creek to follow up on wire transfer from prior day; phone conversation with J. Begnaud regarding same. Review SunTrust Bank and Georgia Bank for recent activity; enter banking transactions; update Peachtree and reconcile to date.	1.00 200.00/hr	200.00
	TB Phone conversations with L. Weichel of ADP regarding general ledger set up for payroll; emails with example files regarding same. Phone conversation with N. Godwin regarding critical vendor payments; print vendor checks, scan vendor checks and email to N. Godwin; prepare checks for mailing to J. Begnaud.	3.00 200.00/hr	600.00
9/7/2012	TB Set up new vendor and enter invoice. Various emails with N. Godwin regarding vendor invoice issues, month end close issues and phone conversation regarding depreciation and property taxes. Receive and review vendor invoices; enter same into Peachtree. Continue preparation of August close journal entries.	2.90 200.00/hr	580.00
	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions; update Peachtree and reconcile to date. Review and format adjustment file for August Jonas entries; upload into Peachtree; generate preliminary general ledger and email same to N. Godwin for review.	1.10 200.00/hr	220.00
	TB Enter reclass adjustments per emails with N. Godwin. Review July depreciation entries, update for August and enter same. Enter payroll accrual reversal for July. Final reconciliation of operating bank accounts for country club entity.	2.70 200.00/hr	540.00
9/8/2012	TB Continue preparation and entry of August close entries; generate preliminary financial reports, research and make adjusting entries as necessary. Format and import additional adjustment file for Jonas entries from N. Godwin. Emails with J. Begnaud regarding COBRA charges. Begin to set up template to generate summary income statement for court reporting purposes.	3.00 200.00/hr	600.00
	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions; update Peachtree and reconcile to date. Preparation of payroll	2.80 200.00/hr	560.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	journal entries for August; phone conversation with J. Begnaud regarding same; format and import entries into Peachtree.		
9/8/2012	TB Prepare information to summarize start up requirements for court filing and email same to J. Begnaud as requested.	1.40 200.00/hr	280.00
9/9/2012	TB Complete template for financial statements; generate statements by department and properly format all documents. Email same to J. Begnaud along with format and reporting questions. Email to N. Godwin with preliminary statements and general ledger for review and response.	2.10 200.00/hr	420.00
9/10/2012	JRB Reviewed preliminary income statements for August. Discussed same with Theresa Brummer and Henry Lorber.	0.40 300.00/hr	120.00
	TB Prepare and enter additional journal entries for August activity pertaining to COBRA, workers' compensation insurance, payroll from Reynolds Companies and reclass from N. Godwin; prepare final August income statements for country club entity by department with adjustments for depreciation and interest in PDF format.	3.00 200.00/hr	600.00
	TB Phone conversation with J. Begnaud regarding open items pertaining to August close including potential liability for various insurance payments and format for court filing documents. Emails with J. Begnaud and H. Lorber regarding information for court filing; follow up phone conversation with H. Lorber regarding same. Emails with T. Stevenson regarding August payroll information. Phone conversation with N. Godwin regarding August close and balance sheet account reconciliations.	2.70 200.00/hr	540.00
9/11/2012	TB Various emails with N. Godwin and J. LeBlanc regarding vendor issues; research dates vendor checks cleared the bank and respond. Update account numbers on recurring lease payments per email from N. Godwin. Review and enter vendor invoices in Peachtree.	2.20 200.00/hr	440.00
	TB Phone conversations and emails with H. Lorber regarding changes to income statement format; make changes as requested and prepare in PDF format; email same to H. Lorber for review.	1.70 200.00/hr	340.00
9/12/2012	TB Telephone call to ADP general ledger interface specialist L. Weichel regarding initial set up of general ledger interface for payroll. Email to K. Malek regarding ADP contact list. Phone conversation with K. Malek regarding bank statement for United Community Bank account. Emails with N. Godwin regarding vendor issues and sales tax issues; research and respond to same. Enter vendor invoices and journal entry into Peachtree. Review SunTrust Bank and Georgia Commerce Bank; enter banking transactions; update general ledger and reconcile to date.	2.50 200.00/hr	500.00
9/13/2012	TB Reconcile Georgia Commerce Bank account with N. Godwin's cash log. Prepare projected cash statement to determine potential amount available to pay vendors in September. Review August bank activity for holding	2.20 200.00/hr	440.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	company entity and email same to J. Begnaud. Phone conversations with J. Begnaud and N. Godwin regarding vendor payments and payroll funding. Various conversations with J. LeBlanc, J. Begnaud and H. Lorber regarding cash forecast through February 2013.		
9/13/2012	JRB Telephone calls and email correspondence regarding vendor issues.	0.70 300.00/hr	210.00
	JRB Continued correspondence regarding vendor demands and related payments.	0.60 300.00/hr	180.00
	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions; update Peachtree and reconcile to date. Phone conversation and various emails with N. Godwin regarding cash position and vendor issues. Emails with J. LeBlanc regarding vendor issues. Phone conversation with J. Begnaud regarding cash position, payroll funding and vendor payment issues. Review accounts payable and prepare list of critical vendor payments due, update cash position and email both to J. Begnaud for review.	2.90 200.00/hr	580.00
9/14/2012	TB Emails with N. Godwin regarding banking activity. Emails with J. Begnaud regarding bank statements and vendor invoices. Emails with J. LeBlanc, K. Malek and N. Godwin regarding COBRA changes for September. Enter vendor invoices into Peachtree and file pending copies.	1.90 200.00/hr	380.00
	JRB Telephone calls and email correspondence regarding vendors and cash needs.	1.10 300.00/hr	330.00
	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions; phone conversation with J. Creek and J. Begnaud regarding transfer of funds between holding company and country club entities; email to M. McClellan regarding receiver hold on holding company account.	1.50 200.00/hr	300.00
9/16/2012	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions; and reconcile to date. Review and reformat Jonas file for import into Peachtree; import same. Review and organize August close files for holding company and water and sewer entities; print copies of bank reconciliations for file; set up pending vendor file for water and sewer entity.	1.70 200.00/hr	340.00
9/17/2012	JRB Telephone calls and email correspondence to determine current amount of cash available to cover payroll.	0.90 300.00/hr	270.00
	TB Review Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Emails and phone conversations with N. Godwin regarding Fintech invoices, research of vendor issues and banking items. Phone conversation with J. Creek regarding online transfer of funds. Phone conversation with J. Begnaud regarding open items for all three entities and record keeping issues. Various emails with N. Godwin regarding vendor service disruption; phone conversation with J. Begnaud; placed stop payment on checks and asked N. Godwin to issue pay by phone check.	2.30 200.00/hr	460.00
	TB Review Georgia Commerce Bank website for updated balance after deposit and email J. Creek regarding availability of funds. Email wire request to J. Creek for	1.40 200.00/hr	280.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	payroll transfer. Various emails and phone conversations with N. Godwin, J. Begnaud and K. Malek regarding payroll funding requirements. Generate general ledger report as requested by N. Godwin and email same. Void vendor checks which were never received; enter pay by phone information from N. Godwin; update vendor file for same.		
9/18/2012	JRB Telephone call from Theresa Brummer regarding wire transfers to cover payroll draft. Discussion with Henry Lorber regarding cash flow issues.	0.50 300.00/hr	150.00
	JRB Reviewed and commented on cash forecast. Processed receiver Counsel's invoice.	0.60 300.00/hr	180.00
	KAM Researched payments for Worker's Comp policy per request of Henry Lorber.	0.20 200.00/hr	40.00
	TB Review and enter vendor invoices; set up new vendors as necessary; file invoices in pending file. Set up and generate financials by department for management use as requested by N. Godwin. Set up budget template for testing and email same to N. Godwin. Follow up email to N. Godwin regarding vendor issues.	3.00 200.00/hr	600.00
	TB Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Email to J. Creek regarding error in account balance for holding company. Phone conversation with J. Begnaud regarding cash position and upcoming tax payments. Emails with N. Godwin regarding final financial reports for August.	1.00 200.00/hr	200.00
9/19/2012	KAM Drafted emails to United Community Bank regarding addition of Theresa Brummer to online account.	0.30 200.00/hr	60.00
	TB Emails with K. Malek regarding online banking access. Emails with K. Malek regarding COBRA payment to Reynolds. Phone conversation with J. Begnaud to review and approve potential vendor payments. Set up vendor and enter vendor invoice for new insurance policy. Review SunTrust Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date.	1.80 200.00/hr	360.00
	TB Phone conversation with J. Begnaud regarding insurance policies and payments, cash position and vendor payment processing. Receive and review financing agreement for general liability policy. Research insurance payments and follow up phone conversations with J. Begnaud and S. Jose. Prepare updated cash position and email to J. Begnaud. Prepare accounts payable aging with potential payments and email same to N. Godwin for review and additions/changes.	3.00 200.00/hr	600.00
9/20/2012	JRB Analyzing which vendors to pay. Discussions with Theresa Brummer and Henry Lorber regarding same.	0.80 300.00/hr	240.00
	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Phone conversations with J. Begnaud regarding vendor checks; classify and sort open accounts payable by type and create critical payments list; email same to J. Begnaud for review.	1.90 200.00/hr	380.00

		<u>Hrs/Rate</u>	<u>Amount</u>
9/21/2012	KAM Telephone calls to UCBI and SunTrust regarding wire transfer.	0.50 200.00/hr	100.00
	TB Review Jonas file import; email to N. Godwin regarding corrections required to complete. Review ADP general ledger interface file; emails with P. Rago of ADP regarding payroll general ledger interface errors. Emails and phone conversation with N. Godwin regarding payroll issues concerning the general ledger interface.	2.80 200.00/hr	560.00
	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Emails and phone conversation with K. Malek regarding wire transfer issue.	0.70 200.00/hr	140.00
9/22/2012	TB Review and format Jonas file for import; import same into Peachtree. Review and import budget test template; generate departmental report and email to N. Godwin for review.	2.20 200.00/hr	440.00
	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Review changes to ADP general ledger interface file from P. Rago. Review and enter vendor invoices for payment; emails to N. Godwin regarding W-9 information and coding issues; file vendor invoices in pending file. Set up new vendors and new vendor files as necessary.	3.00 200.00/hr	600.00
9/24/2012	TB Set up account reconciliation file for country club entity and begin reviewing beginning balance issues. Various emails with N. Godwin regarding payroll information, vendor issues and account reconciliation information.	2.90 200.00/hr	580.00
	TB Phone conversation with K. Malek regarding wire transfer issues and vendor checks.	0.20 200.00/hr	40.00
9/25/2012	TB Emails with N. Godwin regarding ADP report; receive and review same against bank and general ledger feed information and attempt to reconcile tax discrepancy. Various emails with P. Rago at ADP regarding open issues with general ledger feed and attempts to resolve same. Various emails with N. Godwin regarding vendor issues. Prepare budget templates for remaining five departments and email same to N. Godwin. Receive and review vendor invoices; enter same into Peachtree for payment; file vendor invoices in pending file.	2.80 200.00/hr	560.00
	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date.	0.50 200.00/hr	100.00
9/26/2012	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Download revised payroll general ledger feed from ADP and import into Peachtree. Reformat and import prior payroll into Peachtree.	1.80 200.00/hr	360.00
9/27/2012	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Receive and enter insurance invoice from S. Jose. Review open accounts payable for critical vendor payments due. Phone conversation with J. Begnaud regarding cash	2.70 200.00/hr	540.00



		<u>Hrs/Rate</u>	<u>Amount</u>
	position and critical vendor payments; update cash position worksheet as requested and email to J. Begnaud for review. Emails with N. Godwin regarding vendor checks. Continue work on account reconciliations; email to J. Begnaud regarding intercompany transactions.		
9/27/2012	TB Review and research intercompany transactions and respond to email from J. Begnaud regarding same. Enter vendor invoices and Fintech invoices; file in pending vendor file and Fintech file. Email to N. Godwin requesting W-9 for new vendor.	1.40 200.00/hr	280.00
	JRB Analyzed and reviewed current cash position and critical vendor demands for payment.	0.40 300.00/hr	120.00
9/28/2012	JRB Reviewed correspondence from Tracy Stevens regarding COBRA understanding. Reviewed cash position and discussed same with Henry Lorber.	0.60 300.00/hr	180.00
	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Emails with N. Godwin and K. Malek regarding ADP charges. Receive and enter vendor invoices. Reformat Jonas file and import into Peachtree.	1.60 200.00/hr	320.00
	JRB Reviewed accounts payable listing for payment of critical vendors. Discussions with Theresa Brummer regarding same.	0.60 300.00/hr	180.00
9/30/2012	TB Review SunTrust Bank, United Community Bank and Georgia Commerce Bank for recent activity; enter banking transactions and reconcile to date. Email bank activity for Georgia Commerce Bank account to N. Godwin to reconcile her cash log. Reformat and import budget files for 2012 into Peachtree as requested by N. Godwin.	1.80 200.00/hr	360.00
	Subtotal	104.90	21,700.00

**Employee Benefits / Pensions**

9/5/2012	KAM Drafted emails to Nicole Godwin and ADP regarding changeover of time clocks. Requested prompt installation in order to be prepared for first payroll under Lake Burton company.	0.70 200.00/hr	140.00
9/6/2012	KAM Drafted emails to ADP regarding return of old time clocks. Discussed setup of new clocks. Drafted emails to Nicole Godwin regarding same. Drafted email to Carlos Narvaez regarding new Georgia withholding tax number. Drafted email to Franklin Street regarding Worker's Comp policy payment plan and forwarded information to Jim Begnaud for budget. Reviewed current employee list and signed off on final forms for ADP.	2.20 200.00/hr	440.00
9/7/2012	KAM Telephone calls from ADP regarding setting up payroll system. Drafted emails to Nicole Godwin regarding same. Telephone call to Nicole Godwin to supply necessary information for setup.	0.80 200.00/hr	160.00

		<u>Hrs/Rate</u>	<u>Amount</u>	
9/10/2012	KAM	Drafted emails to Nicole Godwin regarding COBRA letter and IRS tax number for ADP. Reviewed summary letter regarding case per request of Henry Lorber.	0.90 200.00/hr	180.00
9/12/2012	KAM	Drafted email to SunTrust regarding debit filters to allow direct debit of payroll amounts from bank account. Requested that Theresa Brummer be added as a contact person for ADP. Completed additional forms for setup of ADP account.	0.70 200.00/hr	140.00
9/14/2012	KAM	Drafted emails and placed telephone calls to ADP regarding preview of first payroll. Drafted emails to Nicole Godwin regarding same. Reviewed and made comments to Nicole Godwin regarding changes needed.	1.10 200.00/hr	220.00
9/24/2012	KAM	Researched and drafted email to Tracy Stevenson regarding COBRA payments and collections. Drafted emails to Nicole Godwin regarding same.	0.60 200.00/hr	120.00
9/27/2012	KAM	Drafted emails to Reynolds regarding COBRA transition. Drafted emails to Nicole Godwin regarding same. Reviewed list of employees with coverage. Edited letter to Chard Snyder to be sent from Reynolds regarding billing issues with COBRA.	0.90 200.00/hr	180.00
9/28/2012	KAM	Reviewed emails from Reynolds to confirm agreement for paying COBRA fees. Drafted emails to Nicole Godwin and Jim Begnaud regarding same.	0.40 200.00/hr	80.00
Subtotal			8.30	1,660.00
Subtotal of charges				<b>\$23,360.00</b>
Courtesy discount				<b>(\$10,000.00)</b>
For professional services rendered			<b>113.20</b>	<b>\$13,360.00</b>

Additional Charges :

<u>Expenses</u>	<u>Amount</u>
9/6/2012 FedEx to James J Creek 8/14/12	14.85
9/26/2012 Check stock 8/9/12	194.38
9/30/2012 FedEx to Sysco Atlanta 8/17/12	14.85
FedEx to Nicole Godwin 8/27/12	17.05
Subtotal	241.13
Total costs	<u>\$241.13</u>
Total amount of this bill	<u><u>\$13,601.13</u></u>

JAMES C. FRENZEL, P.C.

ATTORNEYS AT LAW

SUITE 155, EAST TOWER

ATLANTA FINANCIAL CENTER

3343 PEACHTREE ROAD, N.E.

ATLANTA, GEORGIA 30326

PHONE (404) 266-9961

FAX (404) 442-2760

TOLL FREE 1-877-268-6213

JAMES C. FRENZEL (GA & NC)  
jcfbklaw@mindspring.com

ERIC J. SILVA  
ejs-bklaw@mindspring.com

October 2, 2012

Mr. Henry P. Lorber, Managing Director  
c/o Hays Financial Consulting, LLC, Receiver  
Suite 200, East Tower  
3343 Peachtree Road, NE  
Atlanta, GA 30326

via hand delivery

Re: *United Community Bank ("UCB") v. SELAF Waterfall Development Company, et al; Civil Action File No. 2012-CV-0315 (the "Civil Action"); Hays Financial Consulting, LLC, Receiver (the "Receiver") for Lake Burton Club (the "Receivership")*

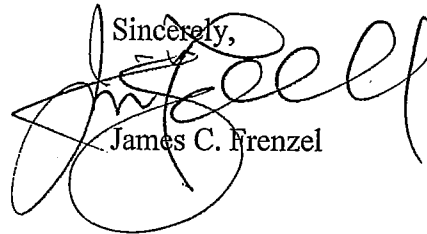
Dear Henry,

Enclosed herewith is our statement for services rendered and expenses advanced on behalf of the Receiver for the period September 1, through September 30, 2012.

If you have any questions concerning the enclosed, please contact us.

Best personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read 'JCF', is written over the word 'Sincerely,' and the printed name 'James C. Frenzel'.

James C. Frenzel

JCF/mcs  
Enclosure

James C. Frenzel, P.C.  
3343 Peachtree Rd, NE  
Suite 155, East Tower  
Atlanta, GA 30326  
Phone: 404-266-9961

October 2, 2012  
Billed as of 9/30/12

Hays Financial Consulting, LLC, Receiver  
c/o Mr. Henry P. Lorber, Managing Director  
3343 Peachtree Road, NE  
Suite 200  
Atlanta, Georgia 30326

Re: Fees and Disbursements – September 1, 2012, through September 30, 2012

**BILLING SUMMARY**

James C. Frenzel	16.70 hrs	400.00/hr	6,680.00
Eric J. Silva	7.60 hrs	200.00/hr	1,520.00
			<hr/>
TOTAL FEES	24.30 hrs	\$	8,200.00
TOTAL DISBURSEMENTS		\$	27.12
			<hr/>
TOTAL CHARGES FOR THIS BILL		\$	8,227.12
			<hr/>
TOTAL BALANCE DUE:		\$	8,227.12
			<hr/>

FEDERAL TAX ID # 58-2194236

James C. Frenzel, P.C.  
3343 Peachtree Road, N.E.  
Suite 155, East Tower  
Atlanta, GA 30326  
jcf-bklaw@mindspring.com

Invoice submitted to:  
Hays Financial Consulting, LLC, Receiver  
c/o Henry Lorber, Managing Director  
3343 Peachtree Road, NE, Suite 200  
Atlanta GA 30326

October 02, 2012

**RE: United Community Bank v. SELAF Waterfall Development Co., et al, Rabun County Superior Court; Hays Financial Consulting, LLC, Receiver**

Invoice #11036

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
9/4/2012 JCF Emails from and to Tom Raines and review of proposed agenda (.2); emails re: conference and meeting with the POA with Henry Lorber (.1); conference with Eric Silva and revise response to Bert Williams re: lease from Henry Lorber (.2); emails to Henry Lorber re: first report and response to liabilities (.1); emails to and from Henry Lorber re: POA meeting and dock lease response/deadline for filings (.2); conference with Henry Lorber and Charlie Stanford with Eric Silva re: POA agenda, status of sale and secured position, and operational issues of LBC (1.0).	1.80 400.00/hr	720.00
EJS Draft response re: dock lease termination (1.4); conference with Jim Frenzel re: POA meeting (.1); review deadlines (.2); finalize response re: dock lease; conference with Jim Frenzel and review use agreement and appointment order; draft and send email to Henry Lorber re: dock lease and deadlines (.5); conference with Henry Lorber and Charlie Stanford with Jim Frenzel (.9); review correspondence from Mindy Waitsman (.4).	3.50 200.00/hr	700.00
9/5/2012 JCF Background check of Peter Anzo; prepare for meeting with LBC POA (.3); attend meeting with LBC Receiver Henry Lorber and Charlie Stanford for HFC and LBC POA with Mindy Waitsman, Tom Raines, and Jeff Sprinkle re: agenda items, club operations, repairs, and construction defects; continued operational issues/contribution to POA operating expenses; conference with Henry Lorber and Charlie Stanford re: construction defect claims v. JT Williams/bankruptcy effect (2.0); correspondence to Henry Lorber as Receiver (.2); review Receiver responses to POA members and telephone calls to and from Tom Raines re: golf course and marketing proposal; claims v. JT Williams (.3).	2.80 400.00/hr	1,120.00

	<u>Hrs/Rate</u>	<u>Amount</u>
9/5/2012 EJS Research re: Peter Anzo (.1); prepare for meeting with POA, Jim Frenzel, and Receiver (.2); conference with Charlie Stanford, Henry Lorber, Mindy Waitsman, et al. with Jim Frenzel (1.8).	2.10 200.00/hr	420.00
9/6/2012 JCF Prepare response to Mindy Waitsman re: hill evaluation and construction defects; SELAF liability; emails to Henry Lorber and Mindy Waitsman on behalf of the POA re: expense reimbursement (.4); finalize correspondence to Mindy Waitsman re: SELAF construction defects and POA claims (.3); telephone call with Paul Durdaller re: POA claims v. SELAF and Anzo purchase of secured position; core committee re: SELAF and POA issues (.3).	1.00 400.00/hr	400.00
9/7/2012 JCF Conference with Jim Begnaud re: POA, Anzo, and UCB funding (.2).	0.20 400.00/hr	80.00
9/10/2012 JCF Conference with Henry Lorber re: hill, golf course, and meeting with POA and members of the club (.2); emails from and to Henry Lorber re: SELAF/order (.1).	0.30 400.00/hr	120.00
9/11/2012 JCF Emails from Henry Lorber re: report of the Receiver; revise first interim report of the Receiver (.5); emails from and to Henry Lorber re: inventory and report (.1); conference with Henry Lorber re: report and inventory (.1); revise first interim report (.2); revise first interim report and forward to Henry Lorber (.5); finalize and email to Henry Lorber re: Receiver report and draft and filing deadlines (.3); finalize report of the Receiver with Henry Lorber; telephone call with Henry Lorber and revise report (.3); emails to and from Henry Lorber re: JT Williams re: providing financial information and requisite disclaimer (.2); cover letter to Clerk of Superior Court of Rabun County re: first interim report of the Receiver (.2); revise correspondence to Clerk and execute report of Receiver with exhibits (.3); conference with Henry Lorber and file first report of the Receiver (.3); emails to and from Jason LeBlanc and Henry Lorber re: LBC meeting with Receiver (.1).	3.10 400.00/hr	1,240.00
9/12/2012 JCF Email from Henry Lorber and emails re: member meeting with the Receiver at the club (.2); emails to and from Henry Lorber, Tom Raines, and Mindy Waitsman re: hill and membership meeting (.2).	0.40 400.00/hr	160.00
9/13/2012 JCF Emails to and from Henry Lorber, Jeff Sprinkle, Marion Glover and Hugh McNatt (.2); conference with Henry Lorber re: meeting with LBC POA (.2); emails to and from Henry Lorber re: interim report and POA meeting (.1).	0.50 400.00/hr	200.00
9/14/2012 JCF Emails to and from Henry Lorber and Marion Glover re: meeting with POA and Reynolds suit (.2); conference with Greg Hays re: Anzo and UCB (.1).	0.30 400.00/hr	120.00
9/18/2012 JCF Emails from and to Henry Lorber, Marion Glover, and Mindy Waitsman; responses from the Receiver (.5); emails to and from Marion Glover and Mike	1.70 400.00/hr	680.00

		<u>Hrs/Rate</u>	<u>Amount</u>
	Kelly for the Receiver; email to Henry Lorber (.2); prepare for meeting with members of the POA and counsel with the Receiver (.2); revise response to Reynolds for the Receiver re: fees and expenses; order and SELAF liability (.4); Receiver response to Reynolds engagement demand (.1); emails to Henry Lorber re: Reynolds management (.1); emails from and to Mindy Waitsman for POA re: Wilmer Engineering (.1); emails to and from Mindy Waitsman and Henry Lorber re: Wilmer Engineering (.1).		
9/18/2012	EJS Review appointment order and interim report;; draft correspondence, conference with Jim Frenzel re: response re: payment, finalize correspondence, and distribute (1.6).	1.60 200.00/hr	320.00
9/19/2012	JCF Conference with Henry Lorber, Charlie Stanford, Mindy Waitsman, Marion Glover, Roy Bordelon, Hugh McNatt, and Thos Muller re: Waterfall POA, UCB, SELAF, and receivership action on behalf of LBC; annual meeting and club membership meeting (1.5); conference with Henry Lorber re: membership and POA meeting (.1); review email attachments from the Receiver to UCB re: 2012-2013 budget (.1); review letter agreement of Waterfall POA and Reynolds Development (.2); club membership agenda and agreement with Waterfall POA (.1).	2.00 400.00/hr	800.00
9/20/2012	JCF Conference with Jim Begnaud re: budget, expenses, notices, and statements/operations (.2); review email from Henry Lorber and Moore & Reese correspondence re: roads and Reynolds; Waterfall POA issue (.2); conference with Jim Begnaud re: UCB and POA financing (.1).	0.50 400.00/hr	200.00
9/21/2012	EJS Review appointment order and determine proper procedure (.3).	0.30 200.00/hr	60.00
9/24/2012	JCF Review appointment order re: notice and expenses (.1); emails to and from Henry Lorber re: meetings and agenda; notice and service of pleadings (.2).	0.30 400.00/hr	120.00
9/27/2012	JCF Conference with Henry Lorber and Charlie Stanford re: UCB budget, Anzo acquisition of secured position, alternatives, and risk of liability (.7); review appointment order re: filing of statement of account (.1); emails from Henry Lorber re: professional fee payments (.1).	0.90 400.00/hr	360.00
9/28/2012	JCF Notice by Receiver of statement of account and review statements of the professionals (.3); correspondence to file notice and telephone call with Receiver Henry Lorber re: meetings with POA and LBC members (.2); telephone call with Henry Lorber re: foreclosure procedure re: commercial real estate and sale by UCB to Anzo; costs of the Receivership and funding requirements (.4).	0.90 400.00/hr	360.00
	EJS Conference with Jim Frenzel re: LBC (.1).	0.10 200.00/hr	20.00



## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Eric J. Silva	7.60	200.00	\$1,520.00
James C. Frenzel	16.70	400.00	\$6,680.00

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	24.30	\$8,200.00

## Additional Charges :

9/11/2012 Federal Express expense for delivery of Interim Report to Rabun County Clerk of Court.	15.72
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9/30/2012 Total photocopy expense for the month of September, 2012.	7.00
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Total postage expense for the month of September, 2012.	4.40
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Total additional charges	\$27.12
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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	24.30	\$8,227.12

Total amount of this bill	\$8,227.12
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# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

Lake Burton Club dba Waterfall - Receiver

For the Period from 10/1/2012 to 10/31/2012

November 15, 2012

## Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
Charlie Stanford	26.40	5,490.00
	207.95/hr	
Colt Conner, CFE	0.50	87.50
	175.00/hr	
Henry Lorber	31.40	10,990.00
	350.00/hr	
James R. Begnaud, CPA	9.30	2,790.00
	300.00/hr	
S. Gregory Hays, CTP, CIRA	6.00	NO CHARGE
Samantha Jose	1.10	137.50
	125.00/hr	
<b>Subtotal of charges</b>		<b>\$19,495.00</b>
<b>For professional services rendered</b>	<b>74.70</b>	<b>\$19,495.00</b>

## Additional Charges :

Copying Cost	8.70
Fax	0.50
Postage	29.25
<b>Total costs</b>	<b>\$38.45</b>

**Total amount of this bill**

**\$19,533.45**

# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

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Lake Burton Club dba Waterfall - Receiver

For the Period from 10/1/2012 to 10/31/2012

November 15, 2012

Professional Services

	<u>Hours</u>	<u>Amount</u>
Business Operations	31.80	9,302.50
Case Administration	31.80	7,755.00
Fee / Employment Applications & Objection	2.00	450.00
Insurance	1.10	137.50
Travel	8.00	1,850.00
<b>Subtotal of charges</b>		<b>\$19,495.00</b>
<b>For professional services rendered</b>	<b>74.70</b>	<b>\$19,495.00</b>

Additional Charges :

Copying Cost	8.70
Fax	0.50
Postage	29.25
<b>Total costs</b>	<b>\$38.45</b>

<b>Total amount of this bill</b>	<b>\$19,533.45</b>
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# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

## Lake Burton Club dba Waterfall - Receiver

For the Period from 10/1/2012 to 10/31/2012

November 15, 2012

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>Business Operations</u>			
10/1/2012	JRB	Analyzed and prepared cash forecast to identify all cash needs from October 1, 2012 through October 25, 2012.	1.60 300.00/hr 480.00
	CS	Finalized potential shut down budget for the winter season.	2.00 225.00/hr 450.00
	CS	Reviewed and responded to emails from LBC staff. Reviewed operation issues and cash analysis.	1.00 225.00/hr 225.00
10/2/2012	CS	Reviewed budget, funding request, and discussed operating costs from inception to proposed note sale date as requested by lender with Henry Lorber and Jim Begnaud.	1.00 225.00/hr 225.00
10/9/2012	HL	Review and submission of funding request, review of operations with GM, discussion with UCB about buyer's intentions and schedule. Preliminary review of Receiver's Second Report. Review of POA issues and letter to homeowners.	2.50 350.00/hr 875.00
10/10/2012	HL	Further review of funding request, continued review of golf course obligations with GM, discussion with counsel and UCB about possible purchase by POA members. Review of POA issues and letter from JT Williams to SELAF.	2.20 350.00/hr 770.00
10/16/2012	CS	Addressed issue of performing narrowband strength test for FCC mandated conversion of signals on sprinkler systems at LBC.	0.50 225.00/hr 112.50
10/18/2012	HL	Discussions with counsel and contractor concerning water and sewer permits.	2.30 350.00/hr 805.00
10/19/2012	HL	Met with consultant and counsel relative to filing of water and sewer permit application. Approved final wording and executed appropriate documentation for filing.	3.30 350.00/hr 1,155.00
10/22/2012	CS	Discussed updated information on potential loan sale contract closing this week.	0.50 225.00/hr 112.50
10/24/2012	JRB	Reviewed cash position. Discussion with Theresa Brummer regarding vendor issues.	0.80 300.00/hr 240.00
	HL	Discussions with counsel, Receiver staff, and LBC staff concerning impact of potential purchase on property operations.	1.30 350.00/hr 455.00
10/25/2012	JRB	Participated in meeting with prospective purchasers of the bank note.	1.50 300.00/hr 450.00
	JRB	Telephone call from vendor regarding invoices.	0.40 300.00/hr 120.00

**Lake Burton Club dba Waterfall - Receiver**

Page 2

		<u>Hrs/Rate</u>	<u>Amount</u>
10/25/2012	HL Meeting with potential purchasers of note.	2.00 350.00/hr	700.00
	HL Preparation for meeting with potential purchasers of note.	1.00 350.00/hr	350.00
10/26/2012	CS Prepared ninety day budget.	0.70 225.00/hr	157.50
	CS Prepared staff reduction schedule to conform to possible reduced staff budget funding by purchaser of note.	1.00 225.00/hr	225.00
10/28/2012	CS Held meeting with POA to discuss current status of club operations.	3.70 225.00/hr	832.50
10/29/2012	CS Discussed POA meeting with receiver attorney and current developments based on the meeting.	1.50 225.00/hr	337.50
10/31/2012	CS Compared cost with employee changes proposed by the purchaser of the note for a sixty day time period.	1.00 225.00/hr	225.00
	Subtotal	31.80	9,302.50
<b><u>Case Administration</u></b>			
10/3/2012	SGH Met with Henry Lorber regarding billing in the case. Reviewed the Receiver's Report. Reviewed the fee application. Reviewed emails regarding funding requirements. Telephone call to Donnie Chapman. Met with Henry Lorber regarding fees and issues in the case.	1.00 400.00/hr	NO CHARGE
10/10/2012	JCC Researched disclosure of assumption of executory contract in Lake Burton Development bankruptcy.	0.30 175.00/hr	52.50
	JRB Reviewed default letter from JT Williams. Reviewed consulting contract with JT Williams. Reviewed bankruptcy docket for disclosure information regarding Mr. Williams' filing and sale of the property to Reynolds Companies.	0.70 300.00/hr	210.00
10/12/2012	CS Prepared draft of second report to the court for LBC.	1.50 225.00/hr	337.50
10/15/2012	JRB Processed professional fee applications for payment. Discussed same with Theresa Brummer.	0.40 300.00/hr	120.00
	HL Revised Receiver's Second Report and Receiver bill for September services.	2.10 350.00/hr	735.00
	CS Revised Receiver's Second Report.	1.00 225.00/hr	225.00
10/17/2012	SGH Reviewed and edited the Receiver's Second Interim Report and circulated comments to Henry Lorber and Jim Begnaud. Reviewed the report by Teresa Brummer on Accounting issues and the reasons for the number of hours required to manage the process.	0.50 400.00/hr	NO CHARGE
	HL Continued revising Receiver's Second Report.	0.90 350.00/hr	315.00
	HL Continued editing Receiver's Second Report. Began reviewing financials.	1.50 350.00/hr	525.00
10/18/2012	JRB Reviewed financial statements and edited Receiver's Second Report.	1.40 300.00/hr	420.00
	HL Continued reviewing and editing Receiver's Second Report and invoices.	1.50 350.00/hr	525.00

**Lake Burton Club dba Waterfall - Receiver**

Page 3

			<u>Hrs/Rate</u>	<u>Amount</u>
10/19/2012	SGH	Reviewed emails and attachments regarding the Receiver's Second Report and the accounting fees. Edited documents and drafted emails to Henry Lorber regarding same.	0.40 400.00/hr	NO CHARGE
	CS	Reviewed final draft of Receiver's Second Report.	0.50 225.00/hr	112.50
10/23/2012	HL	Finalized and submitted Receiver's Second Report.	0.80 350.00/hr	280.00
10/24/2012	JCC	Reviewed and responded to emails from Henry Lorber regarding addition of report to website. Added document accordingly.	0.20 175.00/hr	35.00
10/25/2012	JRB	Discussed issues with potential buyers of the bank note with Greg Hays, Henry Lorber and Charlie Stanford.	0.40 300.00/hr	120.00
	SGH	Met with Henry Lorber, Charlie Stanford and Jim Begnaud regarding the proposed budget. Telephone call to Donnie Chapman regarding the proposed budget after the sale of the loan and plans to reduce staff and operating costs. Continued meeting with Henry Lorber, Charlie Stanford, Jim Begnaud and Jim Frenzel regarding issues in operating the club after a sale of the note. Additional telephone call to Donnie Chapman regarding same.	3.00 400.00/hr	NO CHARGE
	CS	Met with purchaser of LBC note to discuss current status of operations.	2.00 225.00/hr	450.00
	CS	Met with Receiver's team to discuss meeting with purchasers and ongoing operations of LBC after the sale of the note by the lender.	2.00 225.00/hr	450.00
	CS	Reviewed current status of LBC for meeting with potential purchasers of note.	1.00 225.00/hr	225.00
10/26/2012	SGH	Discussion with Henry Lorber regarding POA and HOA meeting on 10/28/12, professional fees, and operational plans. Reviewed summary of professional fees and plans.	0.40 400.00/hr	NO CHARGE
	SGH	Reviewed proposed agenda for meeting on 10/28/12. Discussed with Henry Lorber and Jim Frenzel.	0.20 400.00/hr	NO CHARGE
	HL	Conversations with counsel, Receiver staff, and LBC staff concerning POA meeting set for Sunday.	2.00 350.00/hr	700.00
	CS	Prepared agenda for POA and Club members meeting on Sunday.	1.00 225.00/hr	225.00
10/28/2012	HL	Presentation to and meeting with POA and club members.	4.00 350.00/hr	1,400.00
10/29/2012	JRB	Discussion with Charlie Stafford and Henry Lorber regarding potential new note holders and the impact on the Receivership.	0.60 300.00/hr	180.00
	CS	Reviewed schedule and plans for termination of insurance coverage for furloughed employees.	0.50 225.00/hr	112.50
	Subtotal		31.80	7,755.00

**Fee / Employment Applications & Objection**

10/12/2012	JRB	Reviewed and edited time entries for preparation of the September fee invoice.	0.70 300.00/hr	210.00
10/15/2012	JRB	Reviewed and edited September time entries for fee application.	0.40 300.00/hr	120.00

Lake Burton Club dba Waterfall - Receiver

Page 4

		<u>Hrs/Rate</u>	<u>Amount</u>
10/15/2012	JRB Edited Receiver invoice for September.	0.40	
		300.00/hr	120.00
10/18/2012	SGH Reviewed and edited the report on accounting issues and the justification for the number of hours charged for accounting services. Discussed the accounting work with Henry Lorber and Jim Begnaud. Reviewed the revised billing for Accounting and Receiver services.	0.50	
		400.00/hr	NO CHARGE
	Subtotal	2.00	450.00

Insurance

10/10/2012	SJ Reviewed premium invoices for various policies and updated insurance database entries.	0.30	
		125.00/hr	37.50
10/12/2012	SJ Reviewed general liability/property intent of cancellation notice. Drafted e-mails to and reviewed e-mails from Kayla Roszelle regarding the same. Drafted e-mails to and reviewed e-mails from Theresa Brummer regarding the same.	0.30	
		125.00/hr	37.50
10/18/2012	SJ Reviewed premium invoice for general liability and property policy. Discussed the same with Jim Begnaud. Scanned copy of invoice to Jim Begnaud and Theresa Brummer. Updated entry in insurance database.	0.20	
		125.00/hr	25.00
10/30/2012	SJ Reviewed e-mail from and drafted e-mail to Kayla Roszelle regarding loss runs for inland marine equipment. Drafted e-mail to and reviewed e-mail from Jason Leblanc regarding the same.	0.30	
		125.00/hr	37.50
	Subtotal	1.10	137.50

Travel

10/28/2012	HL Travel to and from meeting with POA and club members.	4.00	
		350.00/hr	1,400.00
	CS Traveled to POA and Club member meeting.	2.00	
		112.50/hr	225.00
	CS Traveled from POA meeting.	2.00	
		112.50/hr	225.00
	Subtotal	8.00	1,850.00

**Subtotal of charges**

**\$19,495.00**

**For professional services rendered**

**74.70**

**\$19,495.00**

**Lake Burton Club dba Waterfall - Receiver**

Page 5

Additional Charges :

**Expenses**

10/31/2012 Postage

Copying cost

Fax

Subtotal

38.45

**Amount**

**Total costs**

**\$38.45**

**Total amount of this bill**

**\$19,533.45**



# Hays Financial Consulting, LLC

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

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Lake Burton Club dba Waterfall - Acct

For the Period from 10/1/2012 to 10/31/2012

November 14, 2012

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
Charlie Stanford	0.70	157.50
	225.00/hr	
James R. Begnaud, CPA	12.60	3,780.00
	300.00/hr	
Kathryn A. Malek, PHR	2.70	540.00
	200.00/hr	
Michael H. McClellan, CFE	1.30	422.50
	325.00/hr	
Theresa Brummer	72.70	14,540.00
	200.00/hr	
<b>Subtotal of charges</b>		<b>\$19,440.00</b>
Courtesy discount		<b>(\$7,400.00)</b>
<b>For professional services rendered</b>	<b>90.00</b>	<b>\$12,040.00</b>

**Hays Financial Consulting, LLC**

3343 Peachtree Road NE  
East Tower, Suite 200  
Atlanta, GA 30326

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**Lake Burton Club dba Waterfall - Acct**

**For the Period from 10/1/2012 to 10/31/2012**

November 14, 2012

Professional Services

	<u>Hours</u>	<u>Amount</u>
Accounting	81.70	17,200.00
Business Operations	6.30	1,840.00
Employee Benefits / Pensions	2.00	400.00
<b>Subtotal of charges</b>		<b>\$19,440.00</b>
Courtesy discount		<u>(\$7,400.00)</u>
<b>For professional services rendered</b>	<b>90.00</b>	<b>\$12,040.00</b>