

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 12-81311-CIV-MIDDLEBROOKS/BRANNON

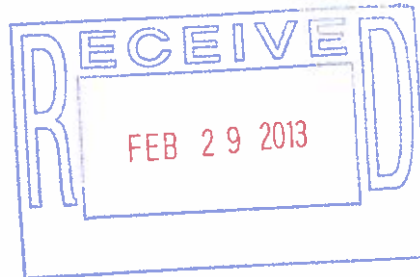
UNITED STATES COMMODITY
FUTURES TRADING COMMISSION,

Plaintiff,

vs.

HUNTER WISE COMMODITIES, LLC,
et al.,

Defendants.



ORDER ON SPECIAL MONITOR'S APPLICATIONS TO EMPLOY

THIS CAUSE is before the Court upon Special Monitor Melanie Damian's ("Special Monitor") Application to Employ Damian & Valori LLP as Counsel (DE 80), Application to Employ Kapila & Company as Forensic Accountants and Tax Advisors (DE 81), and Application to Employ Ver Ploeg & Lumpkin as Insurance Counsel (DE 82), all filed February 26, 2013. I have reviewed the Applications and the record in this case, and am otherwise fully advised in the premises.

After reviewing the Applications, I find good cause exists to allow the Special Monitor to retain Damian & Valori LLP as counsel, Kenneth Dante Murena, Esq. as lead counsel, and Kapila & Company as forensic accountants and tax advisers to assist the Special Monitor.

However, with regard to the employment of Ver Ploeg & Lumpkin as insurance counsel, the Court requires clarification on the issue of consideration for the firm's representation. Specifically, the Special Monitor has been advised that the firm's "hourly blended rate" for its "attorneys, paralegals, paraprofessionals[,] and staff will not exceed \$265." (DE 82 at ¶ 5). Once the Court receives clarification, i.e., more specific hourly rates for the firm's attorneys, paralegals,

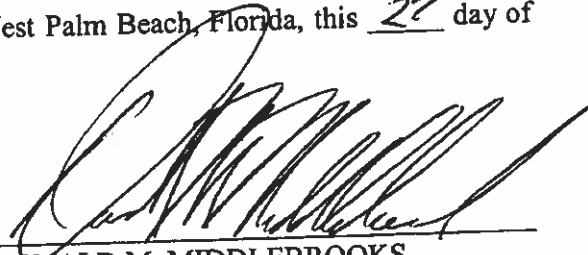
paraprofessionals, and staff, the Court will enter the appropriate order.

Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Application to Employ Damian & Valori LLP as Counsel (DE 80) is **GRANTED**. The Special Monitor is authorized to retain Damian & Valori LLP as counsel, and Kenneth Dante Murena, Esq. as lead counsel, to assist the Special Monitor.
2. The Application to Employ Kapila & Company as Forensic Accountants and Tax Advisors (DE 81) is **GRANTED**. The Special Monitor is authorized to retain Kapila & Company as forensic accountants and tax advisers to assist the Special Monitor.
3. With regard to the Application to Employ Ver Ploeg & Lumpkin as Insurance Counsel (DE 82), the Court will enter the appropriate order upon the Special Monitor's submission of the clarification as set forth above.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 27 day of February, 2013.


DONALD M. MIDDLEBROOKS
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record