

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CLERK'S CERTIFICATE AND APPEALS COVER SHEET

ABBREVIATED ELECTRONIC RECORD

Case Caption: AF Holdings LLC v. Chowdhury

District Court Number: 12cv12105-JLT

Fee: Paid? Yes ___ No X Government filer ___ *In Forma Pauperis* Yes ___ No ___

Motions Pending Yes ___ No X Sealed documents Yes ___ No X
If yes, document # _____ *If yes, document #* _____*Ex parte* documents Yes ___ No X Transcripts Yes ___ No X
If yes, document # _____ *If yes, document #* _____

Notice of Appeal filed by: Plaintiff/Petitioner ___ Defendant/Respondent ___ Other: X

Appeal from:

#43 Order

Other information:

I, Robert M. Farrell, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed electronic documents:

#43 and #45

with the electronic docket sheet, constitute the abbreviated record on appeal in the above entitled case for the Notice of Appeal # 45 filed on December 16, 2013.In testimony whereof, I hereunto set my hand and affix the seal of this Court on December 17, 2013.

ROBERT M. FARRELL

Clerk of Court

/s/Matthew A. PaineDeputy Clerk

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

PLEASE RETURN TO THE USDC CLERK'S OFFICE

APPEAL,COPYRT

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:12-cv-12105-JLT**

AF Holdings, LLC v. Chowdhury
Assigned to: Judge Joseph L. Tauro
Demand: \$150,000
Cause: 17:101 Copyright Infringement

Date Filed: 11/12/2012
Date Terminated: 10/23/2013
Jury Demand: Both
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff**AF Holdings, LLC**

represented by **AF Holdings, LLC**
c/o Mark Lutz
910 West Avenue # 1014
Miami Beach, FL 33139
PRO SE

Daniel G. Ruggiero
P.O. Box 291
Canton, MA 02021
339-237-0343
Fax: 339-707-2808
Email: druggieroesq@hotmail.com
TERMINATED: 08/20/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**Sandipan Chowdhury**

represented by **Daniel G. Booth**
Booth Sweet LLP
32R Essex Street, Suite 1A
Cambridge, MA 02139
617-250-8629
Email: dbooth@boothsweet.com
ATTORNEY TO BE NOTICED

Jason E. Sweet
Booth Sweet LLP
32R Essex Street
Cambridge, MA 02139
617-250-8619
Fax: 617-250-8883
Email: jsweet@boothsweet.com
ATTORNEY TO BE NOTICED

Interested Party**John L. Steele**

represented by **John L. Steele**
 1111 Lincoln Road
 #400
 Miami Beach, FL 33139
 PRO SE

Interested Party**Paul A. Duffy**

represented by **Paul A. Duffy**
 Duffy Law Group
 2 N. LaSalle Street, 13th Floor
 Chicago, IL 60602
 312-952-6136
 PRO SE

Interested Party**Paul R. Hansmeier**

represented by **Paul R. Hansmeier**
 Class Justice PLLC
 100 5th Street S. Ste. 1900
 Minneapolis, MN 55402
 612-234-5744
 PRO SE

Interested Party**Mark Lutz****Counter Claimant****Sandipan Chowdhury**

represented by **Jason E. Sweet**
 (See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant**AF Holdings, LLC**

represented by **Daniel G. Ruggiero**
 (See above for address)
TERMINATED: 08/20/2013
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|--------------------------|---|
| 11/13/2012 | <u>1</u> | COMPLAINT against Sandipan Chowdhury Filing fee: \$ 350, receipt number 0101-4199489 (Fee Status: Filing Fee paid), filed by AF Holdings, LLC. (Attachments: # <u>1</u> Exhibit A of the Complaint, # <u>2</u> Exhibit B of the Complaint, # <u>3</u> Civil Cover Sheet, # <u>4</u> Category Form .(Ruggiero, Daniel) Modified on 11/13/2012 to deleted and re-entered Form AO-121 as separate entry. Please See Docket No. <u>4</u> (Geraldino-Karasek, Clarilde). (Entered: |

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| | | 11/13/2012) |
| 11/13/2012 | <u>2</u> | CORPORATE DISCLOSURE STATEMENT by AF Holdings, LLC. (Ruggiero, Daniel) (Entered: 11/13/2012) |
| 11/13/2012 | <u>3</u> | ELECTRONIC NOTICE of Case Assignment. Judge Joseph L. Tauro assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Robert B. Collings. (Abaid, Kimberly) (Entered: 11/13/2012) |
| 11/13/2012 | <u>4</u> | REPORT on the Filing of Copyright case. Re-Entered by Court Staff as to be filed as separate entry. (Geraldino-Karasek, Clarilde) (Entered: 11/13/2012) |
| 11/13/2012 | <u>5</u> | Summons Issued as to All Defendants. Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service. (Geraldino-Karasek, Clarilde) (Entered: 11/13/2012) |
| 01/04/2013 | <u>6</u> | WAIVER OF SERVICE Returned Executed by Sandipan Chowdhury. Sandipan Chowdhury waiver sent on 12/12/2012, answer due 2/11/2013. (Sweet, Jason) (Entered: 01/04/2013) |
| 01/04/2013 | <u>7</u> | ANSWER to <u>1</u> Complaint, with Jury Demand , COUNTERCLAIM against AF Holdings, LLC by Sandipan Chowdhury. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sweet, Jason) (Entered: 01/04/2013) |
| 01/23/2013 | <u>8</u> | MOTION to Strike <u>7</u> Answer to Complaint, Counterclaim by AF Holdings, LLC.(Ruggiero, Daniel) (Entered: 01/23/2013) |
| 01/28/2013 | <u>9</u> | MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM by AF Holdings, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Ruggiero, Daniel) (Entered: 01/28/2013) |
| 01/29/2013 | <u>10</u> | Opposition re <u>8</u> MOTION to Strike <u>7</u> Answer to Complaint, Counterclaim filed by Sandipan Chowdhury. (Sweet, Jason) (Entered: 01/29/2013) |
| 01/30/2013 | <u>11</u> | MOTION for Bond <i>for Costs</i> by Sandipan Chowdhury.(Sweet, Jason) (Entered: 01/30/2013) |
| 01/30/2013 | <u>12</u> | MEMORANDUM in Support re <u>11</u> MOTION for Bond <i>for Costs</i> filed by Sandipan Chowdhury. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Sweet, Jason) (Entered: 01/30/2013) |
| 02/06/2013 | <u>13</u> | Opposition re <u>9</u> MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by Sandipan Chowdhury. (Sweet, Jason) (Entered: 02/06/2013) |
| 02/12/2013 | <u>14</u> | Opposition re <u>11</u> MOTION for Bond <i>for Costs</i> filed by AF Holdings, LLC. (Ruggiero, Daniel) (Entered: 02/12/2013) |
| 05/08/2013 | <u>15</u> | Request for Judicial Notice <i>of Order Issuing Sanctions</i> by Sandipan Chowdhury. (Attachments: # <u>1</u> Exhibit A)(Sweet, Jason) (Entered: 05/08/2013) |

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| | | 05/08/2013) |
| 06/06/2013 | 16 | ELECTRONIC NOTICE of Hearing.Motions Hearing set for 6/17/2013 11:00 AM in Courtroom 22 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 06/06/2013) |
| 06/17/2013 | 17 | ELECTRONIC Clerk's Notes for proceedings held before Judge Joseph L. Tauro: Motion Hearing held on 6/17/2013 re 8 MOTION to Strike 7 Answer to Complaint, Counterclaim filed by AF Holdings, LLC, 9 MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM filed by AF Holdings, LLC, 11 MOTION for Bond <i>for Costs</i> filed by Sandipan Chowdhury. Plaintiff fails to appear, whereupon Clerk Lovett called him and left message inquiring as to his whereabouts. Atty Ruggiero returned the call and advised he would not be appearing and sent an e-mail with explanation. (Court Reporter: Carol Scott at 617-330-1377.)(Attorneys present: No-show,pltf; Sweet, Booth,deft.) (Lovett, Zita) (Entered: 06/17/2013) |
| 06/17/2013 | 18 | NOTICE to the Court/MOTION to Dismiss by AF Holdings, LLC re 11 MOTION for Bond <i>for Costs</i> (Geraldino-Karasek, Clarilde) Modified on 6/19/2013 in accordance with ORDER entered 20 . (Geraldino-Karasek, Clarilde). (Entered: 06/19/2013) |
| 06/17/2013 | 19 | NOTICE of Appearance by Daniel G. Booth on behalf of Sandipan Chowdhury (Filed in Open Court). (Geraldino-Karasek, Clarilde) (Entered: 06/19/2013) |
| 06/19/2013 | 20 | Judge Joseph L. Tauro: ORDER entered. On June 17, 2013, this court held a hearing on all outstanding motions. Plaintiff failed to appear. The court clerk then called Plaintiff, who returned the call and informed the clerk thatPlaintiff did not intend to appear. Plaintiffs counsel emailed the clerk with additional explanation, indicating that he had no objection to Defendants Motion for Bond 11 and planned to file both a motion to dismiss Plaintiffs claims and a motion to withdraw as counsel. Upon receipt of thisemail, the court proceeded with the hearing as scheduled. After considering the parties filings and Defendants arguments at the hearing, this courthereby orders that : Plaintiffs Motion to Strike Portions of Defendants Counterclaims 8 is DENIED. Plaintiff's Motion to Dismiss Defendants Counterclaims 9 is DENIED for failure to appear to press its objections. Defendants Motion Requiring Plaintiff to Post Bond for Costs 11 isALLOWED as unopposed in light of Plaintiffs email to the court. This court construes 18 Plaintiffs email as a Motion to Dismiss its claims against Defendant. Plaintiffs Motion to Dismiss is ALLOWED. IT IS SO ORDERED. (Geraldino-Karasek, Clarilde) (Entered: 06/19/2013) |
| 07/10/2013 | 21 | Request for notice of default by Sandipan Chowdhury . (Sweet, Jason) (Entered: 07/10/2013) |
| 08/14/2013 | 22 | MOTION to Withdraw as Attorney by AF Holdings, LLC. (Attachments: # 1 Exhibit B, # 2 Exhibit A)(Ruggiero, Daniel) (Entered: 08/14/2013) |
| 08/20/2013 | 23 | Judge Joseph L. Tauro: ENDORSED ORDER entered ALLOWED 22 Motion to Withdraw as Attorney. Attorney Daniel G. Ruggiero terminated (Geraldino-Karasek, Clarilde) (Entered: 08/21/2013) |

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| 08/22/2013 | <u>24</u> | COPY re <u>23</u> Order on Motion to Withdraw as Attorney and Docket Sheet mailed to 910 West Avenue, # 1014 on 8/22/2013. (Geraldino-Karasek, Clarilde) (Entered: 08/22/2013) |
| 08/29/2013 | <u>25</u> | Judge Joseph L. Tauro: ORDER entered ALLOWED re <u>21</u> Request for Entry of Default. (Geraldino-Karasek, Clarilde) (Entered: 08/30/2013) |
| 08/29/2013 | <u>26</u> | NOTICE: Clerk's ENTRY OF DEFAULT as to AF Holdings, LLC (Geraldino-Karasek, Clarilde) (Entered: 09/03/2013) |
| 08/29/2013 | <u>27</u> | Judge Joseph L. Tauro: ORDER entered. STANDING ORDER on Motions for Default Judgment (Geraldino-Karasek, Clarilde) (Entered: 09/03/2013) |
| 09/13/2013 | <u>28</u> | MOTION for Default Judgment as to AF Holdings by Sandipan Chowdhury. (Sweet, Jason) (Entered: 09/13/2013) |
| 09/13/2013 | <u>29</u> | MEMORANDUM in Support re <u>28</u> MOTION for Default Judgment as to AF Holdings filed by Sandipan Chowdhury. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sweet, Jason) (Entered: 09/13/2013) |
| 09/23/2013 | <u>30</u> | Request for Judicial Notice by Sandipan Chowdhury. (Attachments: # <u>1</u> Exhibit A)(Sweet, Jason) (Entered: 09/23/2013) |
| 09/30/2013 | <u>31</u> | Judge Joseph L. Tauro: ENDORSED ORDER entered "ALLOWED WITHOUT OPPOSITION " <u>28</u> Motion for Default Judgment (Geraldino-Karasek, Clarilde) (Entered: 10/01/2013) |
| 10/17/2013 | <u>32</u> | MOTION for Default Judgment as to AF Holdings by Sandipan Chowdhury. (Attachments: # <u>1</u> Text of Proposed Order)(Sweet, Jason) (Entered: 10/17/2013) |
| 10/22/2013 | <u>33</u> | Judge Joseph L. Tauro: ENDORSED ORDER entered ALLOWED <u>32</u> Motion for Default Judgment (Geraldino-Karasek, Clarilde) (Entered: 10/23/2013) |
| 10/22/2013 | <u>34</u> | Judge Joseph L. Tauro: ORDER entered. FINAL JUDGMENT JOINTLY and Severally Against Plaintiff and Its Aliases in favor of Sandipan Chowdhury (Geraldino-Karasek, Clarilde) (Entered: 10/23/2013) |
| 10/23/2013 | <u>35</u> | Copy re <u>33</u> Order on Motion for Default Judgment, <u>34</u> Default Judgment and Docket Sheet, MAILED to AF Holdings, LLC c/o Mark Lutz 910 West Avenue # 1014 Miami Beach, FL 33139 on 10/23/2013. (Geraldino-Karasek, Clarilde) (Entered: 10/23/2013) |
| 11/06/2013 | <u>36</u> | MOTION to Set Aside Default Judgment by John L. Steele.(Geraldino-Karasek, Clarilde) (Entered: 11/06/2013) |
| 11/06/2013 | <u>37</u> | MEMORANDUM in Support re <u>36</u> MOTION to Set Aside Default Judgment filed by John L. Steele. (Geraldino-Karasek, Clarilde) (Entered: 11/06/2013) |
| 11/07/2013 | <u>38</u> | MOTION to Set Aside Default Judgment by Paul R. Hansmeier.(Geraldino-Karasek, Clarilde) (Entered: 11/07/2013) |
| 11/07/2013 | <u>39</u> | MEMORANDUM in Support re <u>38</u> MOTION to Set Aside Default |

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| | | Judgment filed by Paul R. Hansmeier. (Geraldino-Karasek, Clarilde) (Entered: 11/07/2013) |
| 11/12/2013 | 41 | DECLARATION of Paul Duffy in Support of Motion and Memorandum of Law in Support of Motion to Set Aside Default Judgment by Paul A. Duffy. (Geraldino-Karasek, Clarilde) (Entered: 11/13/2013) |
| 11/13/2013 | 40 | Mail Returned as Undeliverable as " Return to Sender". Mail sent to AF Holdings, LLC c/o Mark Lutz 910 West Avenue # 1014 Miami Beach, FL 33139 on 10/23/2013 re 33 and 34 . (Geraldino-Karasek, Clarilde) (Entered: 11/13/2013) |
| 11/25/2013 | 42 | Opposition re 36 MOTION to Set Aside Default, 38 MOTION to Set Aside Default <i>Judgment</i> filed by Sandipan Chowdhury. (Attachments: # 1 Exhibit Ruggiero email, # 2 Affidavit Ruggiero affidavit, # 3 Exhibit Sweet email, # 4 Exhibit Duffy email, # 5 Exhibit Ruggiero email, # 6 Exhibit Duffy email, # 7 Exhibit Duffy email, # 8 Exhibit Sweet email, # 9 Affidavit Sweet Affidavit, # 10 Exhibit Minnesota Order, # 11 Exhibit Navasca &R, # 12 Exhibit Navasca Order, # 13 Exhibit Profit & Loss, # 14 Exhibit Balance sheet, # 15 Affidavit Gibbs affidavit, # 16 Exhibit Gibbs motion)(Sweet, Jason) (Entered: 11/25/2013) |
| 12/03/2013 | 43 | Judge Joseph L. Tauro: ORDER entered. After reviewing the Parties written submissions, this court hereby orders that Interested Party John L. Steeles Motion to Set Aside Default Judgment 36 is DENIED and that Interested Party Paul R. Hansmeiers Motion to Set Aside Default Judgment 38 is also DENIED. A default judgment may be set aside under Federal Rule of Civil Procedure 60(b) only in extraordinary circumstances.1 seeking relief under Rule 60(b) must demonstrate at a bare minimum, that his motion is timely; that exceptional circumstances exist, favoring extraordinary relief; that if the judgment is set aside, he has the right stuff to mount a potentially meritorious claim or defense; and that no unfair prejudice will accrue to the opposing parties should the motion be granted. Under this standard, a movant must give the trial court reason to believe that vacating the judgment will not be an empty exercise.3 Steele and Hansmeiers motions fail to demonstrate that the removal of the default judgment would not be an empty exercise.4 Regardless of the exact relationship between Steele and Hansmeier, on the one hand, and Plaintiff, on the other,5 it is clear that Steele and Hansmeier had notice of all filings in this case, including filings that identified Steele and Hansmeier as the controlling owners of Plaintiff.6 Steele and Hansmeier therefore had ample opportunity to litigate this case before default was entered. This case shall remain CLOSED. IT IS SO ORDERED. (Geraldino-Karasek, Clarilde) (Entered: 12/03/2013) |
| 12/03/2013 | 44 | Copy re 43 Order. MAILED to AF Holdings, LLC c/o Mark Lutz 910 West Avenue # 1014 Miami Beach, FL 33139 AND John L. Steele 1111 Lincoln Road #400 Miami Beach, FL 33139 on 12/3/2013. (Geraldino-Karasek, Clarilde) (Entered: 12/03/2013) |
| 12/16/2013 | 45 | NOTICE OF APPEAL as to 43 Order on Motion by Paul A. Duffy, Paul R. Hansmeier, John L. Steele NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court |

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| | | of Appeals web site at http://www.ca1.uscourts.gov MUST be completed and submitted to the Court of Appeals. Counsel shall register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf. Counsel shall also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf. US District Court Clerk to deliver official record to Court of Appeals by 1/6/2014. (Geraldino-Karasek, Clarilde) (Entered: 12/16/2013) |
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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AF HOLDINGS, LLC,

Plaintiff,

v.

SANDIPAN CHOWDHURY,

Defendant.

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Civil Action No. 12-12105-JLT

ORDER

December 3, 2013

TAURO, J.

After reviewing the Parties' written submissions, this court hereby orders that Interested Party John L. Steele's Motion to Set Aside Default Judgment [#36] is DENIED and that Interested Party Paul R. Hansmeier's Motion to Set Aside Default Judgment [#38] is also DENIED.

A default judgment may be set aside under Federal Rule of Civil Procedure 60(b) only in "extraordinary" circumstances.¹ A party

seeking relief under Rule 60(b) must demonstrate "at a bare minimum, that his motion is timely; that exceptional circumstances exist, favoring extraordinary relief; that if the judgment is set aside, he has the right stuff to mount a potentially meritorious claim or defense; and that no unfair prejudice will accrue to the opposing parties should the motion be granted."²

Under this standard, a movant "must give the trial court reason to believe that vacating the

¹ Fisher v. Kadant, 589 F.3d 505, 512 (1st Cir. 2009) ("Rule 60(b) relief is 'extraordinary in nature' and, thus, 'motions invoking that rule should be granted sparingly.'" (quoting Karak v. Bursaw Oil Corp., 288 F.3d 15, 19 (1st Cir. 2002))).

² Id. (quoting Karak, 288 F.3d at 19).

judgment will not be an empty exercise.”³

Steele and Hansmeier’s motions fail to demonstrate that the removal of the default judgment would not be an empty exercise.⁴ Regardless of the exact relationship between Steele and Hansmeier, on the one hand, and Plaintiff, on the other,⁵ it is clear that Steele and Hansmeier had notice of all filings in this case, including filings that identified Steele and Hansmeier as the controlling owners of Plaintiff.⁶ Steele and Hansmeier therefore had ample opportunity to litigate this case before default was entered.

This case shall remain CLOSED.⁷

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge

³ Teamsters, Chauffeurs, Warehousemen & Helpers Union, Local No. 59 v. Superline Transp. Co., 953 F.2d 17, 19 (1st Cir. 1992).

⁴ See id.

⁵ This court is not the first federal court to decline to unravel this relationship. See AF Holdings, LLC v. John Doe(s), Nos. 12-1445, 12-1446, 12-1447, 12-1448, 12-1449, ECF No. 67, at *9 (D. Minn. Nov. 6, 2013), available at Resp. Opp’n Pl.’s Counsel’s Mots. Set Aside Default J., at Ex. J [#42] (“The Court further concludes that, once all of the ill-gotten gains are fully disgorged from AF Holdings, it would not be a wise use of the Court’s limited resources to *sua sponte* attempt to fully untangle the relationship between Hansmeier, Steele, Duffy, Dugas, Lutz and Prenda Law, on the one hand—and the Plaintiff, AF Holdings, LLC., on the other.”).

⁶ See, e.g., Defs.’ Req. Judicial Notice Order File Related Proceeding [#15]; Order Issuing Sanctions [#15-1].

⁷ To the extent that Interested Party Paul A. Duffy intended his Declaration in Support of His Motion and Memorandum of Law in Support of Motion to Set Aside Default Judgment [#41] to be a motion, it, too, is DENIED for the foregoing reasons.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AF HOLDINGS, LLC,

Plaintiff,

v.

SANDIPAN CHOWDHURY,

Defendant.

Civil Action No. 1:12-cv-12105-JL

2013 DEC 16 P 2:51

NOTICE OF APPEAL

Notice is hereby given that Paul Hansmeier, John Steele and Paul Duffy hereby appeal to the United States Court of Appeals for the First Circuit from the Court's Order (Doc. 43) entered in this action on the 3rd day of December, 2013.

Respectfully submitted,

DATED: December 10, 2013

By:



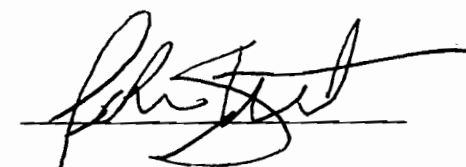
Paul Hansmeier
Class Justice PLLC
100 5th St..S. Ste. 1900
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612-234-5744
mail@classjustice.org
Pro se

By:

A handwritten signature in black ink, appearing to read 'Paul Duffy', written over a horizontal line.

Paul Duffy, Esq.
Duffy Law Group
2 N. LaSalle Street, 13th Floor
Chicago, IL 60602
Telephone: (312) 952-6136
Pro se

By:

A handwritten signature in black ink, appearing to read 'John Steele', written over a horizontal line.

John Steele
1111 Lincoln Road, Suite 400
Miami Beach, FL 33139
(786) 571-8131
Pro se

CERTIFICATE OF SERVICE

I hereby certify that this document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those identified as non-registered participants on December 10, 2013.

/s/ Paul Hansmeier

A handwritten signature in black ink, appearing to read 'Paul Hansmeier', written over a horizontal line.