

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

Case No. 2:09-cv-229-FtM-29DNF

FOUNDING PARTNERS CAPITAL MANAGEMENT  
CO., and WILLIAM L. GUNLICKS,

Defendants,

FOUNDING PARTNERS STABLE-VALUE FUND,  
LP, FOUNDING PARTNERS STABLE-VALUE  
FUND II, LP, FOUNDING PARTNERS  
GLOBAL FUND, LTD., and FOUNDING  
PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

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**ORDER**

This matter comes before the Court on Defendant William L. Gunlicks' Motion for Order Authorizing Disbursement of Funds From North Shore Community Bank and Trust (Doc. #137) filed on July 29, 2009, and Defendant William L. Gunlicks' Motion to Deposit Funds in the Registry of the Court (Doc. #138) filed on July 30, 2009. The Court conducted a telephone conference with counsel on July 31, 2009.

Accordingly, it is now

**ORDERED:**

1. Defendant William L. Gunlicks' Motion for Order Authorizing Disbursement of Funds From North Shore Community Bank and Trust (Doc. #137) is **DENIED**.

2. Defendant William L. Gunlicks' Motion to Deposit Funds in the Registry of the Court (Doc. #138) is **DENIED**.

3. Paragraph 6 at page 6 of the Opinion and Order (Doc. #117) filed on July 14, 2009, is **VACATED**, and payment of the released amounts shall be made as set forth below.

4. Defendant William L. Gunlicks shall endorse the \$300,000 check from First National Bank to Carlton Fields, P.A. Trust Account.

5. Carlton Fields, P.A. Trust Account will then disburse:

(a) \$75,000 to Carlton Fields, P.A. for the retainer fee as allowed in paragraph 5, page 5 of the Opinion and Order (Doc. #117);

(b) \$3,000 to William L. Gunlicks for living expenses for the month beginning August 1, 2009, as authorized by paragraph 3, page 5 of the Opinion and Order (Doc. #117); and


(c) An amount sufficient to pay for the commercial airfare authorized by paragraph 4, page 5 of the Opinion and Order (Doc. #117), if the parties can agree at this time as to the amount needed for this purpose.

6. Carlton Fields, P.A. Trust Account will then issue a check payable to the Receiver for the remaining balance of these funds, in the amount of \$222,000 (or, if the travel allotment is paid, such amount less the travel deduction).

7. The Receiver shall place the \$222,000 (or such amount less travel allotment) into a separate interest-bearing account designated as being the personal funds of William L. Gunlicks, with control of the release of funds being at the direction of the Receiver. The Receiver shall provide notice to counsel for the Securities and Exchange Commission and defendant William L. Gunlicks of the account information for this new account.

8. The Receiver shall make arrangements for a payment of \$3,000 per month to be provided to William L. Gunlicks pursuant to paragraph 3, page 5 of the Opinion and Order (Doc. #117) on or near the first day of each month, without further request of defendant Gunlicks, beginning September 1, 2009.

**DONE AND ORDERED** at Fort Myers, Florida, this 31st day of July, 2009.

  
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**JOHN E. STEELE**  
United States District Judge

Copies:  
Counsel of record