

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

Case No. 04-20850-CIV-TORRES

CONSENT CASE

**GULF GROUP HOLDINGS, INC.,**  
a Florida corporation,

Plaintiff,

vs.

**COAST ASSET MANAGEMENT  
CORPORATION, et al.**

Defendants.

\_\_\_\_\_ /

**SPECIAL VERDICT FORM**

**Breach of Contract Claim**

**Do you find as to each of the following from the greater weight of the evidence:**

1. Did Defendants breach their contract with Gulf Group Holdings in March 2004 by transferring servicing of the Florida tax lien portfolios to another servicer?

Answer Yes or No Yes

*If your answer is No, proceed to question 2. However, if your answer is Yes, please answer the following questions:*

- A. Is Gulf Group Holdings entitled to, as damages, the amount of servicing fees that would have been paid had the contract not been breached?

Answer Yes or No Yes

- B. *If your answer is No, proceed to question 1.C. However, if your answer is Yes, please answer the following:* What is the the amount of servicing fees to which Gulf Group Holdings is entitled as damages for such breach?

Servicing Fees: \$ 180,000.00

- C. Is Gulf Group Holdings entitled to, as damages, the amount of TDA (tax deed application) fees that would have been paid had the contract not been breached?

Answer Yes or No Yes

- D. *If your answer is No, proceed to question 2. However, if your answer is Yes, please answer the following:* What is the amount of TDA fees to which Gulf Group Holdings is entitled as damages for such breach?

TDA Fees: \$ 259,830.00

2. Did Defendants fail to pay performance bonuses and/or real estate owned ("REO") proceeds to which Gulf Group Holdings is entitled for any of the 1998 through 2002 fund portfolio years?

Answer Yes or No Yes

*If your answer is No, proceed to question 3. However, if your answer is Yes, then please answer the following questions:*

- A. **1998 Portfolio.** Do you find that the internal rate of return ("IRR") of the 1998 portfolio exceeded 12%?

Answer Yes or No Yes

*If your answer is No, please proceed to question 2.B. However, if your answer is Yes, answer the following:*

What is the amount of performance bonus to which Gulf Group Holdings is due:

\$ 264,197.00

What is the amount of REO proceeds to which Gulf Group Holdings is due:

\$ 2,735,649.00

- B. **1999 Portfolio.** Do you find that the IRR of the 1999 portfolio exceeded 12%?

Answer Yes or No Yes

*If your answer is No, please proceed to question 2.C. However, if your answer is Yes, answer the following:*

What is the amount of performance bonus to which Gulf Group Holdings is due:

\$ 2,790,166.00

What is the amount of REO proceeds to which Gulf Group Holdings is due:

\$ 414,465.00

- C. **2000 Portfolio.** Do you find that the IRR of the 2000 portfolio exceeded 12%?

Answer Yes or No Yes

*If your answer is No, please proceed to question 2.D. However, if your answer is Yes, answer the following:*

What is the amount of performance bonus to which Gulf Group Holdings is due:

\$ 3,509,596.00

What is the amount of REO proceeds to which Gulf Group Holdings is due:

\$ 607,520.00

- D. **2001 Portfolio.** Do you find that the IRR of the 2001 portfolio exceeded 12%?

Answer Yes or No Yes

*If your answer is No, please proceed to question 2.E. However, if your answer is Yes, answer the following:*

What is the amount of performance bonus to which Gulf Group Holdings is due:

\$ 4,424,321.00

- E. **2002 Portfolio.** Do you find that the IRR of the 2002 portfolio exceeded 12%?

Answer Yes or No Yes

*If your answer is No, please proceed to question 3. However, if your answer is Yes, answer the following:*

What is the amount of performance bonus to which Gulf Group Holdings is due:

\$ 5,422,689.00

**Indemnification Counterclaim**

**Do you find as to each of the following from the greater weight of the evidence:**

3. Was Coast Asset Management wholly without fault in connection with the bidding at the 1998 Lee County Auction?

Answer Yes or No NO

*If your answer is No, please proceed to sign and date this Verdict Form.  
However, if your answer is Yes, please proceed to answer Question 4.*

4. Was there was a combination or conspiracy between Gulf Group Holdings and one or more of its competitors to fix the bid rates at the 1998 Lee County Auction?

Answer Yes or No \_\_\_\_\_

*If your answer is No, please proceed to sign and date this Verdict Form.  
However, if your answer is Yes, please proceed to answer Question 5.*

5. Did Coast Asset Management settle a lawsuit filed by the Florida Attorney General due to Gulf's violating the antitrust laws in connection with bidding at the 1998 Lee County Auction?

Answer Yes or No \_\_\_\_\_

*If your answer is No, please proceed to sign and date this Verdict Form.  
However, if your answer is Yes, please proceed to answer Question 6.*

6. Did Coast Asset Management provide notice to Gulf of the Attorney General's claim and give Gulf Group Holdings the opportunity to defend the claim against Coast at Gulf's expense?

Answer Yes or No \_\_\_\_\_

*If your answer is Yes, please proceed to sign and date this Verdict Form.  
However, if your answer is No, please proceed to answer Question 7.*

- 7. Was Coast Asset Management's settlement with the Florida Attorney General in the amount of \$150,000 reasonable?

Answer Yes or No \_\_\_\_\_

*If your answer is No, please proceed to sign and date this Verdict Form. However, if your answer is Yes, please proceed to Question 8 to consider the following defense of Gulf Group Holdings.*

- 8. Was the conduct that forms the basis of Coast Asset Management's indemnification claim barred by the Release executed by Coast Asset Management in favor of Gulf Group Holdings on February 5, 2002?

Answer Yes or No \_\_\_\_\_

*If your answer is Yes, your verdict on the indemnification counterclaim is for Gulf Group Holdings, and please proceed to sign and date this Verdict Form.*

*However, if your answer is No, your verdict on the indemnification counterclaim is for Coast Asset Management, and please proceed to sign and date this Verdict Form.*

SO SAY WE ALL.

DATED: 3/27/07

Foreperson \_\_\_\_\_