

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

KEY WEST DIVISION

Case No.: 08-10084-CIV-MARTINEZ/BROWN

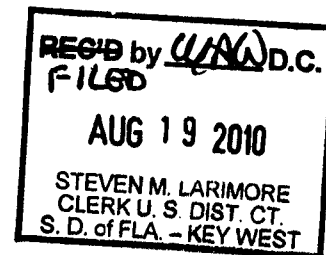
PETER HALMOS, et al.,

Plaintiffs,

v.

INSURANCE COMPANY OF NORTH
AMERICA, et al.,

Defendants.



SPECIAL MASTER'S FINDING

This matter came before the undersigned, on Defendants memorandum, pursuant to request by the undersigned, and the Response by Plaintiffs, regarding a ruling by the undersigned at the July 6, 2010 deposition(s) of Peter Halmos as the designated representative of Peter Halmos & Sons, Inc., and Intelligence Service, Inc.. This ruling provided that Mr. Halmos provide specific back up documentation for each of the 37 invoices of Peter Halmos & Sons and 37 invoices of Intelligence Services, Inc., for services allegedly performed and claimed to be reimbursable from Defendant. These invoices totaled \$3,971,367.00.

The documentation was originally requested by subpoena issued in conjunction with of the deposition. The undersigned's ruling came after Mr. DeMahy on behalf of the Defendant asked Mr. Halmos for back-up documentation for the first of the 37 invoices. Mr. Halmos spent a great deal of time unsuccessfully attempting to find the back-up material from a large array of

materials brought to the deposition by Mr. Halmos.

On July 22, 2010 Mr. Halmos, pursuant to the ruling by the undersigned, presented to the Defendant for use at a future deposition approximately 160,687 pages of documents contained in 63 boxes of materials, labeled chronologically and not sequentially BATES stamped or organized in any way other than chronologically. Only Mr. Halmos can know what documents he claims backup the invoices; anyone else, including the Defendant can only guess as to what are the relevant documents. It should also be noted that Mr. Halmos is the sole owner of Peter Halmos & Sons, Inc., Intelligence Services, Inc., as well as the other two corporate Plaintiffs.

The Special Master finds that such production was not in compliance with the subpoena or the undersigned's ruling , and further that Mr. Halmos as corporate representative of Peter Halmos & Sons, Inc., and Intelligence Services, Inc., shall provide specific supporting documentation by invoice; that is, for each individual invoice, within 10 days from date. The undersigned also finds that all costs associated with this deposition expended by Defendant be assessed against Mr. Halmos and in favor of Defendant, and further, that Mr. Halmos shall appear for deposition within 5 days from complying with this ruling.

Respectfully submitted this 16th day of August, 2010.


Herbert M. Klein
Special Master

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CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2010, the forgoing document was served on all counsel of record identified on the Service List both by facsimile and regular mail.

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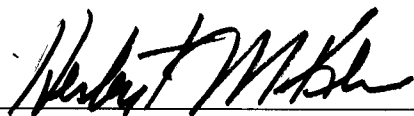
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