

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Chapter 7  
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FLUTIE NEW YORK CORP. Case No. 02-14069 (BRL)  
d/b/a COMPANY MANAGEMENT, :  
:  
Debtor. :  
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DAVID KITTAY, TRUSTEE OF THE ESTATE OF :  
FLUTIE NEW YORK CORP. :  
d/b/a COMPANY MANAGEMENT, :  
:  
Plaintiff, : Adv. Pro. No. 02-03878  
:  
- against - :  
:  
FLUTIE NEW YORK CORP., ALBERT FLUTIE, : **ORDER AND**  
MICHAEL FLUTIE, FLUTIE MEDIA CORP., : **JUDGMENT**  
FLUTIE INTERACTIVE, INC., FLUTIE :  
ENTERTAINMENT CORP., FLUTIE BROS. LLC, :  
and FLUTIE ENTERTAINMENT USA, INC., :  
:  
Defendants. :  
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This Order and Judgment vacates and supersedes the Order and Judgment signed on March 26, 2003 and entered on March 30, 2003.

This action came on for trial before the Court, Honorable Burton R. Lifland presiding, and the Court on March 18, 2004, having Ordered that David Kittay, Trustee (“Trustee”) of the Estate of Flutie New York Corp. doing business as Company Management (the “Bankruptcy Estate”) have final judgment against the defendants Michael Flutie, Albert Flutie, Flutie Media Corp., Flutie Bros. LLC and Flutie Entertainment USA, Inc. and recover damages, it is hereby

ORDERED AND ADJUDGED that the Trustee recover the amount of \$1,688,898

from defendant Michael Flutie residing at 28 East 10th Street, Apt. 6D, New York, New York; and it is further

ORDERED AND ADJUDGED that the Trustee recover the amount of \$140,832 from defendant Albert Flutie residing at 155 Nassau Boulevard, New Hyde Park, New York; and it is further

ORDERED AND ADJUDGED that the Trustee recover the amount of \$186,816 from defendant Flutie Media Corp. with an office formerly located at 270 Lafayette Street, New York, New York; and it is further

ORDERED AND ADJUDGED that the Trustee recover the amount of \$191,089 from defendant Flutie Entertainment USA, Inc. f/k/a Flutie Bros. LLC with an office at 9300 Wilshire Boulevard, Suite 333, Beverly Hills, California; and it is further

ORDERED AND ADJUDGED that defendants Michael Flutie residing at 28 East 10th Street, Apt. 6D, New York, New York and Albert Flutie residing at 155 Nassau Boulevard, New Hyde Park, New York are personally liable for all of the debts of the Bankruptcy Estate of Flutie New York Corp. doing business as Company Management and in amount not less than \$2,746,039 (subject to diminution);<sup>1</sup> and it is further

ORDERED AND ADJUDGED that the defendants are to provide an accounting to the Trustee and turn over all monies received, and all future monies, on account of all the models at Flutie New York Corp. (including models that may now be managed by Flutie Media Corp. or Victoria

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<sup>1</sup> In the event that claims are reduced through the claims adjudication process, this amount may be reduced accordingly.

Suns d/b/a Company Model) as of April 2001 to present; and it is further

ORDERED AND ADJUDGED that the model contracts and/or the arrangements for the services of the models that Flutie New York Corp., Flutie Media Corp. and Victoria Suns d/b/a Company Models represented which were fraudulently transferred are hereby avoided and are now property of the Bankruptcy Estate and may be used and sold by the Bankruptcy Estate; and it is further

ORDERED AND ADJUDGED that the Trustee shall recover of all defendants, and the Clerk shall enter judgment with post-judgment interest in the amount of 1.18% on all sums awarded herein.

Dated: New York, New York  
April 2, 2004

/s/Burton R. Lifland  
Hon. Burton R. Lifland  
United States Bankruptcy Judge