L06000115003

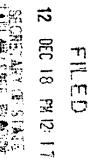
(Requestor's Name)		
(Address)		
(Addr	ess)	
(City/s	State/Zip/Phone	e #)
PICK-UP	☐ WAIT	MAIL
(Busi	ness Entity Nar	ne)
(Docu	ment Number)	
Certified Copies	Certificates	s of Status
Special Instructions to Filing Officer:		

Office Use Only



300242534753

12/31/12--01010--001 **25.00



'IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA CIVIL DIVISION

CASE NO.: 11-CA-012141

DIVISION: L

DARREN MILLING, individually, and RACHIS MEDICAL SOLUTIONS, LLC, a Florida limited liability company,

Plaintiffs,

v.

CLAYTON HUMMEL, individually, and SPINE ENTHUSIAST, LLC, a Florida limited liability company,

Defendants.

CLAYTON HUMMEL, individually, and SPINE ENTHUSIAST, LLC, a Florida limited liability company

Defendants/Counter-Plaintiffs,

V.

DARREN MILLING, individually, and RACHIS MEDICAL SOLUTIONS, LLC, a Florida limited liability company,

Plaintiff/Counter-Defendants.

AFFIDAVIT OF STEVEN S. OSCHER

STATE OF FLORIDA

HILLSBOROUGH COUNTY

- 1. My name is Steven S. Oscher, and I am over the age of eighteen and otherwise competent to execute this Affidavit.
 - 2. I am a Certified Public Accountant in the State of Florida, and the Managing

Director of Oscher Consulting, P.A., a Certified Public Accounting firm.

3. Per the Final Judgment of Dissolution of Rachis Medical Solutions, LLC dated November 7, 2012, I was appointed as receiver by the Honorable Herbert J. Baumann, Jr. to wind up and liquidate the business and affairs of Rachis. As such, I am required to file with the Florida Secretary of State a document stating that "the Revocation of Dissolution of Rachis signed by Darren Milling on September 26, 2011 is withdrawn, the Articles of Dissolution of Rachis signed by Clayton Hummel on September 16, 2011 are valid and effective, and Rachis Medical Solutions LLC was dissolved on September 15, 2011."

FURTHER AFFIANT SAYETH NAUGHT.

Steven S. Oscher

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me on the 14th day December, 2012, by Steven S. Oscher, who is <u>personally known to me or produced</u> as identification and who did/did not take an oath.

Notary Public

My commission Expires:



THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA CIVIL DIVISION

DARREN MILLING, individually, and RACHIS MEDICAL SOLUTIONS, LLC, a Florida limited liability company,

CASE NO. 11-CA-012141

Plaintiffs,

Division:

L

* 10411111111

٧.

CLAYTON HUMMEL, individually, and SPINE ENTHUSIAST, LLC, a Florida limited liability company,

Defendants.

CLAYTON HUMMEL, individually, and SPINE ENTHUSIAST, LLC, a Florida limited liability company

Defendants/Counter-Plaintiffs,

ν.

DARREN MILLING, individually, and RACHIS MEDICAL SOLUTIONS, LLC, a Florida limited liability company,

Plaintiffs/Counter-Defendants.

FINAL JUDGMENT OF DISSOLUTION OF RACHIS MEDICAL SOLUTIONS, LLC

This cause came before the Court upon the motion of Defendant/Counter-Plaintiff, Clayton Hummel ("Hummel"), for entry of a final judgment of dissolution of Rachis Medical Solutions, LLC ("Rachis"), based upon this Court's Order Granting Hummel's Motion for Partial

Summary Judgment dated August 6, 2012. The Court having considered the motion and being otherwise fully advised in the premises, it is hereby ORDERED and ADJUDGED:

- 1. The Motion of Defendant/Counter-Plaintiff, Clayton Hummel, for entry of a final judgment of dissolution of Rachis Medical Solutions, LLC is *GRANTED*. As set forth in this Court's Order Granting Hummel's Motion for Partial Summary Judgment dated August 6, 2012, Hummel's resignation from Rachis on September 15, 2011 caused the dissolution of Rachis. As a result, the Court decrees Rachis Medical Solutions, LLC to be dissolved pursuant to Florida Statutes Chapter 608.
- 2. Within ten (10) days from the date of this Final Judgment, Rachis shall (a) file with the Florida Secretary of State a document stating that "the Revocation of Dissolution of Rachis signed by Darren Milling on September 26, 2011 is withdrawn, the Articles of Dissolution of Rachis signed by Clayton Hummel on September 16, 2011 are valid and effective, and Rachis Medical Solutions LLC was dissolved on September 15, 2011"; (b) take down and remove all Rachis signage; and (c) discontinue using any Rachis website domain, or Rachis email addresses.
- 3. Pursuant to Florida Statute section 608.4492, the Court appoints Steven S. Oscher of Oscher Consulting, P.A. as receiver to wind up and liquidate the business and affairs of Rachis within 150 days hereof. Mr. Oscher is given the power to collect and dispose of all or any part of the assets of the limited liability company wherever located, at a public or private sale, and to discharge or making provisions to discharge its liabilities. Mr. Oscher is further given the power to perform all acts necessary to wind up and liquidate Rachis. The Court finds that no bond is required. In addition, Mr. Oscher shall file his first report to the Court within 60

144

days of the date hereof and file monthly reports thereafter. Mr. Oscher shall be paid from the assets of Rachis, or, if needed, by the parties. The parties are directed to fully cooperate with Mr. Oscher.

- 4. Mr. Oscher, or an individual he retains, shall conduct an accounting of the assets and liabilities of Rachis as of September 15, 2011. The cost of the accounting shall be equally paid by the parties.
- 5. The Court reserves jurisdiction to assure that Rachis is dissolved, to expand the powers of the receiver as required, to extend the time for liquidation and to distribute assets pursuant to Florida Statute sections 608.427 and 608.444.
 - 6. The parties are directed to set further hearings, as appropriate.

DONE AND ORDERED in Chambers at Tampa, Hillsborough County, Florida this

__day of November, 2012.

CONFORMED COPY

NOV 0 7 2012

Honorable Herbert J. Baumann, Jr. HERBERT J. BAUMANN, JR. Circuit Court Judge CIRCUIT JUDGE

Copies furnished to:

G. Donovan Conwell, Jr. 2701 N. Rocky Point Dr., Suite 1030 Tampa, FL 33607

David I. Shiner, Esq. 95 S. Federal Highway, First Floor Boca Raion, FL 33432

Steven Oscher 201 N. Franklin St., Suite 3150 Tampa, FL 33602