

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA


Case No. 09-80999-CIV-DIMITOULEAS

DANIEL S. NEWMAN, as Court Appointed	)
Receiver for MERCER CAPITAL, INC.,	)
MERCER CAPITAL MANAGEMENT, INC.,	)
MERCER ASSET MANAGEMENT, LLC.	)
TRI-STATE ENERGY GROUP, LLC,	)
TRI-STATE ENERGY GROUP I, LTD., and	)
TRI-STATE ENERGY GROUP II, LTD.,	)
	)
Plaintiffs,	)
	)
v.	)
	)
ROBERT FLICKINGER,	)
	)
Defendant.	)
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CONSENT TO JUDGMENT

Defendant Robert Flickinger hereby consents to entry of a final judgment against him in the amount of \$381,701.54 in connection with the claims asserted in July 7, 2009 Complaint [DE 1] filed by Court-appointed Receiver Daniel S. Newman. Defendant Flickinger hereby specifically waives any and all defenses, causes of action, counterclaims, cross-claims or set-offs in connection with the claims asserted in the Complaint.

Approved as to Form:

  
 \_\_\_\_\_  
**JAMES D. SALLAH, ESQ.**  
**SALLAH & COX, LLC**  
 Boca Corporate Center  
 2101 NW Corporate Blvd., Ste. 218  
 Boca Raton, FL 33486  
 561-989-9080 (Tele.)  
 561-989-9020 (Fax)  
*Counsel for Robert Flickinger*

I, Robert Flickinger, hereby consent to entry of judgment as me in the above captioned matter in favor of Plaintiff Daniel S. Newman, as Court Appointed Receiver, in the amount of \$381,701.54. I further waive any and all defenses, causes of action, counterclaims, cross-claims or set-offs in connection with the claims asserted in the Complaint.

Dated: November 11, 2009

  
Robert Flickinger

**CERTIFICATE OF SERVICE**

I hereby certify that on October 28, 2009 I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all record or pro se parties identified on the attached Service List in the matter specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notice of Electronic Filing.

s/ James D. Sallah  
James D. Sallah, Esq.

**SERVICE LIST**

**Daniel Newman v. Robert Flickinger**  
**Case No. 09-80999-CIV-DIMITOULEAS**  
**United States District Court, Southern District of Florida**

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*Court Appointed Receiver*