

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

In the Matter of:

Case No. 21-18481-MAM

NITV, LLC,

Chapter 7

Debtor.

Judgment Interest and Fee Summary
And
Related (Lien) Recordings
In Support of
Proof of Claim filed by Creditor, Elwood Gary Baker

- I. Statutory Interest Calculation(s) for Judgment against Debtor, NITV, LLC in favor of Elwood Gary Baker

Palm Beach Fifteenth Judicial Circuit Court Case No.: 50 2005 CA 001771 XXXX MB AE

Year	Rate Per Annum	Daily Rate as a Percentage	Daily Rate as a Decimal	Number of Days in Time Period	Interest In Time Period	Total Amount to Pay Judgment
July 1, 2021 (to 8/31/2021 Date of BK filing)	4.25%	.0116438%	.000116438	62	1,804.79	\$406,995.21
April 1, 2021	4.31%	.0118082%	.000118082	91	2,686.37	\$405,190.42
January 1, 2021	4.81%	.0131781%	.000131781	90	2,965.07	\$402,504.05
October 1, 2020	5.37%	.0146721%	.000146721	92	3,374.58	\$399,538.98
July 1, 2020	6.03%	.0164754%	.000164754	92	3,789.34	\$396,164.40
April 1, 2020	6.66%	.0181967%	.000181967	91	4,139.75	\$392,375.06

January 1, 2020	6.83%	.0186612%	.000186612	91	4,245.42	\$388,235.31
October 1, 2019	6.89%	.0188767%	.000188767	92	4,341.64	\$383,989.89
July 1, 2019	6.77%	.0185479%	.000185479	92	4,266.02	\$379,648.25
April 1, 2019	6.57%	.0180000%	.000180000	91	4,095.00	\$375,382.23
January 1, 2019	6.33%	.0173425%	.000173425	90	3,902.06	\$371,287.23
October 1, 2018	6.09%	.0166849%	.000166849	92	3,837.53	\$367,385.17
July 1, 2018	5.97%	.0163562%	.000163562	92	3,761.93	\$363,547.64
April 1, 2018	5.72%	.0156712%	.000156712	91	3,565.20	\$359,785.71
January 1, 2018	5.53%	.0151507%	.000151507	90	3,408.91	\$356,220.51
October 1, 2017	5.35%	.0146575%	.000146575	92	3,371.23	\$352,811.60
July 1, 2017	5.17%	.01416438%	.0001416438	92	3,257.81	\$349,440.37
April 1, 2017	5.05%	.01383562%	.0001383562	91	3,147.60	\$346,182.56
January 1, 2017	4.97%	.01361644%	.0001361644	90	3,063.70	\$343,034.96
October 1, 2016	4.91%	.01341530%	.0001341530	92	3,085.52	\$339,971.26
July 1, 2016	4.84%	.01322404%	.0001322404	92	3,041.53	\$336,885.74
April 1, 2016	4.78%	.01306011%	.0001306011	91	2,971.18	\$333,844.21
January 1, 2016	4.75%	.0129781%	.000129781	91	2,952.52	\$330,873.03
October 1, 2015	4.75%	.0130137%	.000130137	92	2,993.15	327,920.51
July 1, 2015	4.75%	.0130137%	.000130137	92	2,993.15	324,927.36
April 1, 2015	4.75%	.0130137%	.000130137	91	2,960.62	321,934.21
January 1, 2015	4.75%	.0130137%	.000130137	90	2,928.08	318,973.59
October 1, 2014	4.75%	.0130137%	.000130137	92	2,993.15	316,045.51
July 1, 2014	4.75%	.0130137%	.000130137	92	2,993.15	313,052.36
April 1, 2014	4.75%	.0130137%	.000130137	91	2,960.62	310,059.21
January 1, 2014	4.75%	.0130137%	.000130137	90	2,928.08	307,098.59
October 1, 2013	4.75%	.0130137%	.000130137	92	2,993.15	304,170.51
July 1, 2013	4.75%	.0130137%	.000130137	92	2,993.15	301,177.36
April 1, 2013	4.75%	.0130137%	.000130137	91	2,960.62	298,184.21
January 1, 2013	4.75%	.0130137%	.000130137	90	2,928.08	295,223.59
October 1, 2012	4.75%	.0129781%(¹)	.000129781(¹)	92	2,984.96	292,295.51
July 1, 2012	4.75%	.0129781%(¹)	.000129781(¹)	92	2,984.96	289,310.55
April 1, 2012	4.75%	.0129781%(¹)	.000129781(¹)	91	2,952.52	286,325.59

January 1, 2012	4.75%	.0129781%(¹)	.000129781(¹)	91	2,952.52	283,373.07
10/1/11	4.75%	.0130137%	.000130137	92	2,993.15	280,420.55
1/1/2011-9/30/11(²)	6%	.01644%	.0001644	273	11,220.30	\$277,427.40
2010	6%	.01644%	.0001644	365	15,001.50	\$266,207.10
12/10/2009 (Judgment effective date) – 12/31/2009	8%	.02192%	.0002192	22	1,205.60	\$251,205.60
Amended Judgment						\$250,000.00

(¹) Note: The daily rate for quarters beginning in 2012, considers that 2012 is a leap year, and is calculated by dividing the annual rate by 366 days.

(²) Note: The January 1, 2011 interest rate was established prior to the law change under Chapter 2011-169, Laws of Florida. After July 1, 2011, interest rates will be established quarterly by the CFO.

Source for columns 1-4: myfloridacfo.com

Source for column 5: everydaycalculation.com

- II. In addition to the Judgment and Interest amount calculated above, although he has retained collection counsel on a contingency basis, Elwood Gary Baker has plead, and will seek (should he be permitted to pursue his state court collection claims for "fraudulent transfer, etc.) attorney's fees and costs related to collection of the judgment at issue pursuant to § 56.29(8), Fla. Stat., which provides in pertinent part:

*(8) Costs for proceedings supplementary shall be taxed against the judgment debtor as well as all other incidental costs determined to be reasonable and just by the court including, but not limited to, docketing the execution, sheriff's service fees, and court reporter's fees.
Reasonable attorney fees may be taxed against the judgment debtor.*

The undersigned's billings for such fees and costs as of 8/31/2021 (Petition filing date) are: \$57,315.31. This amount is expected to rise.

- III. Evidence of Lien Perfection follows on separate pages:

NOTE as to Question 9: Elwood Gary Baker has supplemental proceedings pending in State Court wherein he asserts the Debtor has passed assets to a related entity/"mere continuation entity" known as "NITV Federal Services, LLC." It is Debtor's position that NITV Federal Services, LLC's assets were acquired from Debtor and should be/are lienied. Since the Receivables and other personalty of NITV, LLC and NITV Federal Services, LLC far exceed the amount owed to Creditor, Baker, he asserts that all of his claim is/should be deemed "secured" by the assets of NITV Federal Services, LLC. Evidence of Lien Perfection as to NITV, LLC follows on separate pages.

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT IN AND FOR PALM BEACH
COUNTY, FLORIDA

CASE NO.: 502005CA001771XXXXMB AE

ELWOOD GARY BAKER,

Plaintiff(s),

vs.

NITV, LLC,

Defendant(s)

2013 MAY 23 PM 3:44
PALM BEACH COUNTY
CIRCUIT CIVIL
FILED

AMENDED FINAL JUDGMENT

Pursuant to the Final Judgment previously entered in this case, and the opinion and mandate issued by the Fourth District Court of Appeal, the prior Final Judgment in this case is amended nunc pro tunc to December 10, 2009 (the date of the original judgment) and it is,

Adjudged that Plaintiff, ELWOOD GARY BAKER, whose address is [REDACTED] [REDACTED] FL [REDACTED] shall recover from Defendant NITV, LLC, whose address is 99 [REDACTED] [REDACTED] FL 3 [REDACTED] and whose EIN Number is [REDACTED], the sum of \$250,000.00 that shall bear interest at the rate of 8% per year as of December 10, 2009, for which let execution issue forthwith.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida this 23 day of May, 2013.



THE HONORABLE EDWARD FINE

Copies Furnished:
Zappolo & Farwell, P.A., 7108 Fairway Drive, Suite 150, Palm Beach Gardens, FL 33418
Alexander Kranz, Esq., 6650 West Indiantown Road, Suite 200, Jupiter, FL 33458

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 502005CA001771XXXXMB AE

ELWOOD GARY BAKER,

Plaintiff(s),

vs.

NITV, LLC,

Defendant(s)

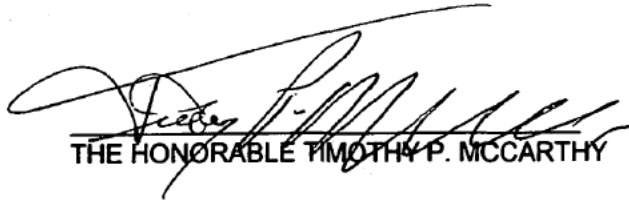
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PALM BEACH COUNTY, FL
CLERK CIVIL 5
DEC 10 PM 12:20

FINAL JUDGMENT

Pursuant to the verdict rendered by jury after trial in this action,

It is adjudged that Plaintiff, ELWOOD GARY BAKER, whose address is [REDACTED]
[REDACTED] FL [REDACTED], shall recover from Defendant NITV, LLC, whose address is
11 [REDACTED] FL [REDACTED] and whose EIN Number is [REDACTED]
the sum of \$575,000.00 that shall bear interest at the rate of 8% per year for which let
execution issue forthwith.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida this 10
day of December, 2009.


THE HONORABLE TIMOTHY P. MCCARTHY

Copies Furnished:

3B
Scott W. Zappolo, Esq., Watterson & Zappolo, P.A., counsel for the Plaintiff, 4100 RCA Blvd., Suite 110, Palm
Beach Gardens, FL 33410

Joel B. Rothman, Esq., Arnstein & Lehr, LLP, counsel for the Defendant, Northbridge Centre, Suite 600, 515
North Flagler Dr., West Palm Beach, FL 33401



FILE NUM 20100104321 OR BOOK PAGE 237501994 DATE: 03/19/2010 09:56:36 Pgs 1994 - 1996: (3pgs)
Sharon R. Bock, CLERK & COMPTROLLER

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CASE NO.: 502005CA001771XXXXMB AE

ELWOOD GARY BAKER,
Plaintiff(s),
vs.
NITV, LLC,
Defendant(s)

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FINAL JUDGMENT

Pursuant to the verdict rendered by jury after trial in this action,

It is adjudged that Plaintiff, ELWOOD GARY BAKER, whose address is [REDACTED]

[REDACTED] FL [REDACTED] shall recover from Defendant NITV, LLC, whose address is
11 [REDACTED] FL [REDACTED] and whose EIN Number is [REDACTED]

the sum of \$575,000.00 that shall bear interest at the rate of 8% per year for which let
execution issue forthwith.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida this 10
day of December, 2009.

THE HONORABLE TIMOTHY P. MCCARTHY

Copies Furnished:

Scott W. Zappolo, Esq., Watterson & Zappolo, P.A., counsel for the Plaintiff, 4100 RCA Blvd., Suite 110, Palm
Beach Gardens, FL 33410

Joel B. Rothman, Esq., Amstein & Lehr, LLP, counsel for the Defendant,
North Flagler Dr., West Palm Beach, FL 33401



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the
foregoing is a true copy
of the record in my office.

THIS 19 DAY OF March, 2010
SHARON R. BOCK
CLERK & COMPTROLLER

By
DEPUTY CLERK

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 502005CA001771XXXXMB AE

ELWOOD GARY BAKER,

Plaintiff(s),

vs.

NITV, LLC,

Defendant(s)

AFFIDAVIT FOR RECORDING FINAL JUDGMENT

STATE OF FLORIDA

COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority personally appeared Kevin R. Davies (Affiant) who, being by me first duly sworn upon his/her oath, deposes and says:

1. Affiant is counsel for Plaintiff Elwood Gary Baker in the above captioned matter.
2. This affidavit was prepared for the purpose of recording a final judgment against Defendant, NITV, LLC, pursuant to Florida Statute §55.10(1).

3. The name of the judgment debtor is NITV, LLC; whose address is 11 [REDACTED]

[REDACTED], FL [REDACTED].

4. This judgment is entered in favor of lienor, Elwood Gary Baker; whose address is [REDACTED] FL [REDACTED]

Baker/Gary vs. NITV, LLC
Affidavit for Recording Final Judgment
502005CA001771XXXXMB AE
Page 2

This is not a certified copy

The Final Judgment is in the Circuit Court for the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida filed December 10, 2009 and is being recorded contemporaneously with this affidavit.

6. Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

FURTHER AFFIRMANT SAYETH NAUGHT.

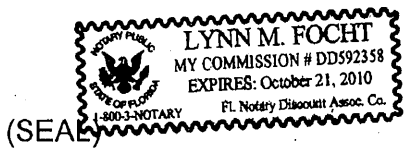
Kevin R. Davies
Kevin R. Davies

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me on this date by Kevin A. Davies, who is personally known to me or who produced _____ as identification, and who did take an oath, and states that executed the foregoing Affidavit and that its contents are true.

SWORN TO and SUBSCRIBED before me this 10th day of March, 2010.

NOTARY PUBLIC, State of Florida



Lynn M. Foehl

LYNN M FOEHL

(Print Name)

My Commission No: DD592358

My Commission Expires: 10/21/10

JUDGMENT LIEN CERTIFICATE

FOR PURPOSES OF FILING A JUDGMENT LIEN, THE FOLLOWING INFORMATION IS SUBMITTED IN ACCORDANCE WITH s. 55.203, FLORIDA STATUTES.

1. JUDGMENT DEBTOR (DEFENDANT) NAME AS SHOWN ON JUDGMENT, IF AN INDIVIDUAL, IS:

LAST NAME _____ FIRST NAME _____ M. I. _____
 MAILING ADDRESS _____
 CITY _____ ST _____ ZIP _____

2. ADDITIONAL JUDGMENT DEBTOR, IF AN INDIVIDUAL, IS:

LAST NAME _____ FIRST NAME _____ M. I. _____
 MAILING ADDRESS _____
 CITY _____ ST _____ ZIP _____

3. JUDGMENT DEBTOR (DEFENDANT) NAME AS SHOWN ON JUDGMENT, IF A BUSINESS ENTITY, IS:

NITY, LLC
 BUSINESS ENTITY NAME _____
 MAILING ADDRESS _____
 CITY _____ ST FL ZIP _____

4. FEDERAL EMPLOYER IDENTIFICATION NUMBER: _____

5. DEPARTMENT OF STATE DOCUMENT FILE NUMBER: L01000018150

PLEASE CHECK BOX IF DOCUMENT NUMBER IS NOT APPLICABLE

6. JUDGMENT CREDITOR (PLAINTIFF) NAME AS SHOWN ON JUDGMENT OR CURRENT OWNER OF JUDGMENT, IF ASSIGNED:

Elwood Gary Baker
 CREDITOR NAME(S) _____
 MAILING ADDRESS _____
 CITY _____ ST FL ZIP _____

7. DEPARTMENT OF STATE DOCUMENT FILE NUMBER: _____

PLEASE CHECK BOX IF DOCUMENT NUMBER IS NOT APPLICABLE

8. OWNER'S ATTORNEY OR AUTHORIZED REPRESENTATIVE: (ACKNOWLEDGMENT OF FILING WILL BE SENT TO THIS ADDRESS)

Scott W. Zappolo, Esq., Watterson & Zappolo, P.A.
 NAME _____
4100 RCA Boulevard
 MAILING ADDRESS _____
Palm Beach Gardens FL 33410
 CITY _____ ST _____ ZIP _____

9. AMOUNT DUE ON MONEY JUDGMENT: \$575,000.00

10. APPLICABLE STATUTORY INTEREST RATE: 8%

UNDER PENALTY OF PERJURY, I hereby certify that: (1) The judgment above described has become final and there is no stay of the judgment or its enforcement in effect; (2) All of the information set forth above is true, correct, current and complete; (3) I have not previously filed a Judgment Lien Certificate regarding the above judgment with the Department of State; and, (4) I have complied with all applicable laws in submitting this Judgment Lien Certificate for filing.

[Signature]
 SIGNATURE OF CREDITOR OR AUTHORIZED REPRESENTATIVE

Kevin R. Davies, Esq., Watterson & Zappolo, P.A.
 PRINT NAME

NON-REFUNDABLE PROCESSING FEE:

JUDGMENT LIEN WITH ONE DEBTOR \$ 20.00
 EACH ATTACHED PAGE, IF NECESSARY \$ 5.00

EACH ADDITIONAL DEBTOR \$ 5.00
 (NO CHARGE FOR CREDITOR AFFIDAVIT)

CERTIFIED COPY REQUESTED \$10.00

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Mar 29, 2010 08:00 A.M.
Secretary of State
 MHCAIN

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THIS SPACE FOR USE BY FILING OFFICER

11. NAME OF COURT:

Circuit Court of the 15th
Judicial Circuit (Palm Beach County)

12. CASE NUMBER: 502005cA00171XXXXMBAE

13. DATE OF ENTRY: 12 / 10 / 2009
 MONTH DAY YEAR