

## COORDINATION AGREEMENT

This Coordination Agreement ("Agreement") is entered into on August 17, 2011, between Gene Kohut, as Chapter 7 Trustee ("Trustee") for the estates ("Estates") of Dante DeMiro, *et al.* ("DeMiro") (Bankruptcy Case #10-71404, "DeMiro Case") and MuniVest Services, LLC, *et al.* ("MuniVest," and collectively with DeMiro, "Debtors") (Bankruptcy Case #10-71403, "MuniVest Case," and collectively with the DeMiro Case, "Bankruptcy Cases"), and the United States Attorney's Office for the Eastern District of Michigan ("USAO," and collectively with the Trustee, "Parties").

### RECITALS

A. On April 19, 2011, DeMiro pled guilty to Counts One through Five of the First Superseding Information, Case No. 10-20594 pending in the Eastern District of Michigan (the "Criminal Case"), in which the USAO alleged, among other things, that DeMiro devised a scheme to defraud and obtain money by means of false pretenses. On July 7, 2011, pursuant to Federal Rule of Criminal Procedure 32.2, the District Court Judge in the Criminal Case entered a preliminary order of forfeiture (the "POF") with respect to the assets listed in the POF (the "Forfeited Assets"). On July 19, 2011, Judgment was entered against DeMiro which, among other things, ordered DeMiro to pay restitution to the victims listed in the Judgment.

B. Upon obtaining a final forfeiture order, the USAO will seek final approval from the appropriate authority to use Forfeited Assets to restore the victims identified in the Judgment entered in the Criminal Case.

C. On October 12, 2010, the Bankruptcy Cases were initiated pursuant to Section 303(b) of the United States Bankruptcy Code ("Code"). Orders for relief were entered in the Bankruptcy Cases on November 5, 2010. Pursuant to the Code, the Trustee has a responsibility to recover assets of the Estates for the benefit of all of the Debtors' creditors and distribute the proceeds in accordance with the distribution provisions in the Code ("Bankruptcy Distribution Provisions").

D. In order to avoid the overall diminishment of the recovery for the victims in the Criminal Case and creditors alike and to avoid undue delay in the disposition of the Forfeited Assets that may result absent this Agreement, the Parties have agreed to enter into this Agreement.

### AGREEMENT

1. **Condition Precedent.** This Agreement is conditioned upon judicial approval in the Bankruptcy Cases.

2. **Forfeited Assets.** The Forfeited Assets are not assets of the Estates, and the District Court in the Criminal Case has jurisdiction over adjudications involving the Forfeited Assets. The Trustee will not file a claim or a petition contesting the forfeiture of the Forfeited Assets in the Criminal Case and will not otherwise institute ancillary proceedings in the Criminal Case relating to the Forfeited Assets.

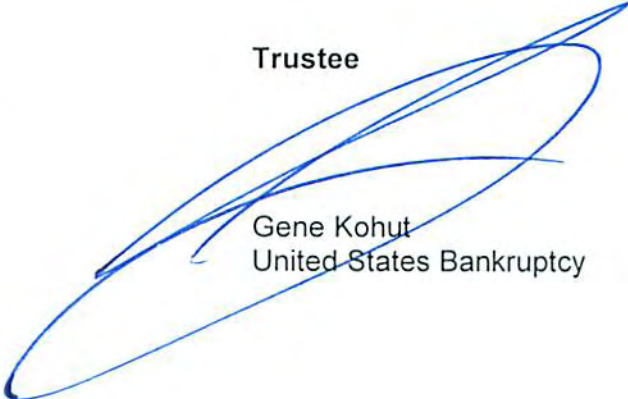
3. **All other Assets.** All other assets of the Debtors (i.e., assets that are not Forfeited Assets), tangible and intangible, whether now existing or hereafter discovered or

recovered, including any proceeds of Avoidance Actions (the "Remaining Assets") are and will be deemed property of the Estates. The USAO will not file a claim or petition in the Bankruptcy Cases to recover the restitution or money judgment owed by DeMiro in the Criminal Case. Furthermore, the USAO agrees that it will not seek to forfeit the Remaining Assets or any proceeds of the Remaining Assets.

**United States Attorney's Office  
for the Eastern District of Michigan**

Linda Aouate  
Assistant United States Attorney  
Trustee

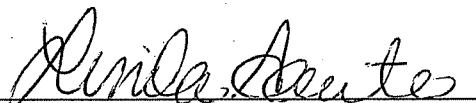
**Trustee**



Gene Kohut  
United States Bankruptcy

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**United States Attorney's Office  
for the Eastern District of Michigan**



Linda Aouate  
Assistant United States Attorney

**Trustee**

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Gene Kohut  
United States Bankruptcy Trustee