

PORZIO, BROMBERG & NEWMAN, P.C.
 100 Southgate Parkway
 Morristown, NJ 07962-1997
 Telephone (973) 538-74006
 Fax (973) 538-5146
 Attorneys Appearing: John S. Mairo (JM-0670)
 Brett S. Moore (BM-0014)

IN THE MATTER OF THE GENERAL
 ASSIGNMENT FOR THE BENEFIT OF
 CREDITORS OF FLEER/SKYBOX
 INTERNATIONAL, LP

Assignor

to

WARREN J. MARTIN, JR.,

Assignee

IN THE MATTER OF THE GENERAL
 ASSIGNMENT FOR THE BENEFIT OF
 CREDITORS OF FLEER
 COLLECTIBLES, L.L.C.

Assignor

to

WARREN J. MARTIN, JR.,

Assignee

SUPERIOR COURT OF NEW JERSEY
 CHANCERY DIVISION, PROBATE PART
 BURLINGTON COUNTY

DOCKET NO. P-2005-1394

CIVIL ACTION

**CONSENT ORDER RESOLVING NOTICE
 OF EXCEPTIONS TO CLAIMS
 REGARDING PSS WAREHOUSING AND
 TRANSPORTATION, INC.**

This matter having been opened to the Court upon the respective Notice of Exceptions To Claims and of Hearing for both Fleer/SkyBox International LP ("SkyBox") and Fleer Collectibles, LLC ("Collectibles") (collectively, the "Motions") filed by Warren J. Martin Jr., Esq., (the "Assignee") Assignee for the Benefit of Creditors of SkyBox and Collectibles, and the letter memorandum dated November 3, 2005 (the "Letter Memorandum") filed by PSS Warehousing and Transportation, Inc. ("PSS") in response to the Motions; and PSS having filed a claim against SkyBox in the amount of \$34,430.08 on account of pre-assignment services, and PSS having filed a claim against Collectibles in the amount of \$20,965.67 on account of pre-assignment services; and the alleged secured creditor, Alexander Grass, through his attorneys, Klehr, Harrison, Harvey,

Branzburg & Eilers, L.L.P., Carol Ann Siocum, Esquire, appearing, having opposed PSS's claim against SkyBox; and the Assignee having previously escrowed \$50,000 (which consists of \$35,000 withdrawn from the Assignee's SkyBox account, and \$15,000 withdrawn from the Assignee's Collectibles account, the "Escrow") with PSS's attorneys, Maselli Warren, P.C. ("MW") on account of PSS's claims against SkyBox and Collectibles pursuant to the Order dated August 18, 2005 signed by the Honorable Michael J. Hogan, J.S.C.; and MW having been authorized and directed to pay \$25,000 to PSS from the Escrow, on a preliminary basis, on account of PSS's pre-assignment claims asserted against SkyBox pursuant to that certain Consent Order Resolving Order To Show Cause signed by the Honorable Ronald E. Bookbinder, P.J.S.C. (the "Original Consent Order"); and the Assignee having delivered to MW the Assignee's check dated November 8, 2005, in the amount of \$5,395.75, payable to PSS, which check has been held by MW pending resolution of the issues regarding PSS's claims against SkyBox and Collectibles; and the Court having been advised that the Assignee, Alexander Grass and PSS have resolved all outstanding issues with respect to PSS's claims against both Collectibles and Skybox;

IT IS on this 9th day of December, 2005,

ORDERED that PSS shall be allowed the sum of \$29,715.04 on PSS's claim against SkyBox; and it is

FURTHER ORDERED that PSS shall retain the \$25,000 previously paid to PSS from the Escrow; and it is

FURTHER ORDERED that MW is hereby authorized and directed to pay to PSS the sum of \$4,715.04 from the Escrow in final payment of PSS's remaining pre-assignment claims asserted against SkyBox; and it is

FURTHER ORDERED that MW shall, within one week after the entry of this Consent Order, pay to the Assignee the amount of \$5,284.96, which represents the difference between the

remaining \$10,000 in the Escrow that was withdrawn from the Assignee's SkyBox account and the \$4,715.04 payment referenced in the preceding paragraph; and it is

FURTHER ORDERED that PSS is allowed \$20,965.67 on its claim against Collectibles; and it is

FURTHER ORDERED that MW is hereby authorized and directed to pay \$15,000 to PSS from the Escrow on account of PSS's pre-assignment claims asserted against Collectibles; and it is

FURTHER ORDERED that MW is authorized, upon the entry of this Consent Order, to turn over to PSS the Assignee's check in the amount of \$5,395.75; and it is

FURTHER ORDERED that the Assignee pay to PSS the sum of \$569.92, which represents the difference between PSS's \$20,965.67 claim asserted against Collectibles and the sum of the \$15,000 payment from the Escrow and the Assignee's November 8, 2005 check in the amount of \$5,395.75.

We hereby consent to the Form and entry of this Order.


Porzio, Bromberg & Newman, P.C.
Attorneys for Warren J. Martin Jr., Assignee

By: 
Brett S. Moore

Klehr, Harrison, Harvey, Branzburg & Ellers LLP
Attorneys for Alexander Grass

By: 
Carol Ann Slossum

Maselli Warren, P.C.
Attorneys for PSS Warehousing & Transportation

By: 
Perry S. Warren


Ronald E. Bookbinder, P.J.S.C.