

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

In Re:

**ULRICH FELIX ANTON ENGLER; and
PRIVATE COMMERCIAL OFFICE, INC.**

Debtors.

**Case No. 9:08-bk-04360-ALP
Chapter 7 case
(Substantively Consolidated)**

**RESPONDENTS' COUNTER-DESIGNATIONS OF DEPOSITION TESTIMONY
RELATING TO JUNE 17 AND 18, 2010 FINAL EVIDENTIARY HEARING**

Respondents, Fidelity National Timber Resources, Inc. and Fidelity National Financial, Inc. ("Fidelity Respondents"), in opposition to the Trustee's Motion To Substantively Consolidate Non-Debtor Douglas Investments, LLC With And Into The Debtors' Bankruptcy Estates (Doc. 212) ("Motion to Consolidate) and in support of the Fidelity Respondents' Motion for Reconsideration of Order Granting Trustee's Motion to Approve Compromise and Settlement (Doc. 363) ("Motion for Reconsideration"), hereby file their cross-designations of the deposition testimony of Bradley T. Freeman and David Douglas, individually and as corporate representative of Douglas Investments, LLC.

**I. Cross Designations of Deposition Testimony of Bradley Freeman (Vol. I)
(Fidelity Exhibit 49A)**

Page 144, line 21 – page 145, line 22

Page 162, lines 1-12

**II. Cross Designations of Deposition Testimony of Bradley Freeman (Vol. II)
(Fidelity Ex. 50)**

Page 179, lines 1-15

Page 179, line 23 – page 180, line 19

Page 183, lines 1-15

Page 188, line 22 – page 189, line 8

Page 191, lines 6-15

Page 194, line 11 – page 195, line 3

Page 199, line 20 – page 200, line 3

Page 201, lines 1-20

Page 203, lines 1-22

Page 210, line 7 – page 211, line 2

Page 238, lines 14-24

Page 247, line 23 – page 248, line 14

Page 290, line 25 – page 291, line 7

Page 296, line 25 – page 297, line 1

Page 299, line 19 – page 300, line 3

Page 322, line 13 – page 323, line 12

Page 325, line 25 – page 327, line 24

Page 329, line 2 – page 330, line 4

III. Cross Designations of Deposition Testimony of David Douglas, individually and as corporate representative of Douglas Investments, LLC (Trustee's Exhibit 18)

Page 7, lines 15-17

Page 9, lines 1-10

Page 45, line 20 – page 46, line 3

Page 65, line 6 – page 66, line 22

Page 67, lines 16-22

Page 70, line 21 – page 71, line 8

Page 71, line 18 – page 72, line 7

Page 72, lines 10-14

Page 77, line 15 – page 78, line 2

Page 82, line 1 – page 83, line 25

Page 91, lines 12-18

Page 110, line 23 – page 111, line 4

Page 118, line 16 – page 119, line 2

Page 133, lines 3-10

Page 143, lines 8-22

Page 162, lines 11-20

Page 166, lines 11-22

Page 180, lines 2-3

Page 180, lines 16-24

Page 211, lines 19-22

Page 261, line 9 – page 262, line 23

Respectfully submitted,

SHUMAKER, LOOP & KENDRICK, LLP

By: /s/ Seth P. Traub

Steven M. Berman, Esq.

Florida Bar No. 856290

Seth P. Traub, Esq.

Florida Bar No. 022088

101 E. Kennedy Blvd., Ste. 2800

Tampa, Florida 33602

Phone: (813) 229-7600; Fax: (813) 229-1660

*Counsel for Fidelity National Timber
Resources, Inc. and Fidelity National
Financial, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 2, 2010, the foregoing was filed with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to Robert F Elgidely, Esq., Genovese Joblove & Battista PA, Bank of America Tower - 44th Floor, 100 Southeast Second Street, Miami, FL 33131.

/s/ Seth P. Traub