

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
COLLIER COUNTY FLORIDA**

File No.: 22-CP-3062

IN RE:

ESTATE OF LYNN E. BAKER

**MOTION TO COMPEL FILING OF ESTATE INVENTORY
AND TO PROVIDE REDACTED COPY
BROUGHT BY
MARKET CENTRAL PRIVATE ASSETS, LLC**

Market Central Private Assets, LLC, by and through its Manager, Andrew Zicklin (“MCPA”), moves the Court as follows.

A. The Personal Representative Should Be Compelled to File the Estate Inventory

1. Florida Probate Rule 5.340(a) requires all personal representatives to file an estate inventory within 60 days after issuance of letters of administration.

2. The Personal Representative was issued letters of administration in this Estate on December 8, 2022 [D.E. 12]. The 60-day deadline to file the inventory was February 6, 2023. The inventory is now 7 months late.

3. The Personal Representative has not asked for an extension to file the inventory, and no order appears on the docket enlarging the time to file the estate inventory. Accordingly, the Personal Representative should be ordered to file the estate inventory immediately.

B. MCPA Has Good Cause to Receive a Redacted Inventory

4. Under Section 733.604(1)(b)(4) of the Florida Probate Code, a pre-judgment creditor is not normally entitled to a copy of the estate inventory.

5. Section 733.604(1)(b)(4)(d) allows the court, upon a showing of good cause, to provide the estate inventory to persons not normally entitled to receive it.

6. MCPA has good cause to receive a redacted copy of the Estate inventory, showing the business assets and business bank accounts owned or controlled by the Decedent, as explained below.

7. MCPA is a limited liability company that invests in pre-IPO businesses. MCPA is an interested person in this Estate on two grounds: as a creditor, and as an investor in entities that the Decedent, and now his Estate, were and should have been managing.

8. The Petition for Administration, filed October 25, 2022 [D.E. 2], identifies five business entities allegedly owned by the Estate. At least one additional business entity controlled by the Decedent, IAMC, LLC, is missing from the Petition for Administration. The Petition for Administration, also lists an asset titled “Bank Vista Account for LLC’s, with an Estate value of \$900,000.¹

9. During the hearing on Movant’s motion to compel estate information pursuant to Rule 5.341, held on August 28, 2023, counsel for the Personal Representative stated that the Estate had not taken control of any of the Estate’s business assets. Counsel also stated that he was unable to find anyone to take control of the Estate’s business assets on behalf of the Estate. No plans or intent for the Personal Representative to commence managing the Estate’s business assets was put forward.

10. The Personal Representative has been in place for 9 months and it is now abundantly clear that she is not going to administer the Decedent’s business assets. Someone else

¹ Movant assumes that the Petition for Administration erroneously lists this bank account with an Estate value of \$900,000. Movant believes that such business bank account belongs primarily or exclusively to the persons who invested with Decedent, either directly or indirectly through the entities that such investors own. As such, showing an Estate value of \$900,000 would be improper.

needs to do so. The people to do so are logically the people who invested in those business assets, including MCPA and several dozen other investors who have filed creditor claims against the Estate.

11. In order to determine how to proceed, the investors need to know the exact name and Estate value of each business asset owned by the Estate, as well as the name of every bank where business bank accounts are located, and (partially redacted) account number and balance of each such business bank account.

12. In other words, the investors need the information held by the Personal Representative regarding the business assets of the Estate so that one or more of the investors can figure out how to take control of the business entities in which they invested.

13. MCPA has invested in excess of \$6 million in the Estate's business assets and believes that the total amount invested is in excess of \$10 million. The need for the Estate to file its inventory and disclose to the investors the portion of the inventory addressing business assets and business bank accounts could not be stronger.

WHEREFORE, Movant requests that the Court Order the Personal Representative to immediately file the Estate Inventory and to serve a copy of the Inventory on Movant, showing any business assets connected to the Estate and any business bank account connected to the Estate (including bank name, partial account number, and bank balance), while being permitted to redact all other information from the inventory, i.e., the non business assets owned by the Decedent. Movant also requests that it be given permission to subsequently disseminate the redacted inventory to the other investors in the business entities here at issue. Movant also requests all other and further relief that the Court finds just, including costs and attorney fees.

/s/ Jeffrey Howard Skatoff, Esq. /s/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day, a true and correct copy of the foregoing has been served via the Florida Courts E-Filing Portal on all persons so appearing.

/s/ Jeffrey Howard Skatoff, Esq. /s/
JEFFREY H. SKATOFF, ESQ.
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