

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

BARKI, LLC, a North Carolina limited
liability company;
BRUCE C. KRAMER, an individual,

Defendants, and

RHONDA A. KRAMER, an individual, and
FOREST GLEN FARM, LLC, a North
Carolina limited liability company,

Relief Defendants.

CASE NO. 3:09-CV-106 (GCM)

**NOTICE OF FOURTH MOTION FOR COMPENSATION
FOR GRIER, FURR & CRISP, P.A. and SECOND MOTION FOR COMPENSATION TO
EDWARD P. BOWERS, ACCOUNTANT FOR THE RECEIVER**

NOTICE IS HEREBY GIVEN that Joseph W. Grier, III, Receiver, has filed a motion for compensation for the period of August 31, 2009 through November 11, 2009 to Grier, Furr & Crisp, P.A., his law firm. The motion for compensation to his law firm seeks fees of \$43,049.00 and reimbursement of expenses of \$140.09, for a total of **\$43,189.09**.

NOTICE IS ALSO GIVEN that Joseph W. Grier, III, Receiver, has filed a motion for compensation for Edward P. Bowers and Middleswarth Bowers & Company, Accountants for the Receiver, for the period of May 15, 2009 through November 6, 2009. The motion for compensation seeks fees of \$8,461.50.

If you do not want the Court to approve the motions for compensation, or if you want the Court to consider your views, then on or before December 7, 2009, you or your attorney must do the following:

1. **File with the Court a written response explaining your position.** The response must be filed electronically with the United States District Court for the Western District of North Carolina, www.ncwd.uscourts.gov. Under certain circumstances, if you are an individual who is not represented by an attorney, you may hand deliver your response to the Clerk of the

United States District Court, 401 West Trade Street, Charlotte, NC 28202. If you qualify to file by hand delivery, you must deliver the response to the Court on or before the date stated above.

2. On or before the date stated above for filing your written response, you must also mail, fax or email a copy of your written response to:

Joseph W. Grier, III
Grier, Furr & Crisp, P.A.
101 N. Tryon St., Suite 1240
Charlotte, NC 28246
Fax: 704 332-0215
Email: jgrier@grierlaw.com

If the Court schedules a hearing, you or your attorney must attend the hearing, which will be held at a time and date which will be noticed only to any party who files a response, at the United States District Court, 401 West Trade Street, Charlotte, NC 28202.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief the Receiver requests and may enter an order approving the motions for compensation.

Dated this 17TH day of November, 2009.

/s/ Joseph W. Grier, III
Joseph W. Grier, III (State Bar No. 7764)
A. Cotten Wright (State Bar No. 28162)
Grier Furr & Crisp, PA
101 North Tryon Street, Suite 1240
Charlotte, North Carolina 28246
Phone: 704.375.3720
Fax: 704.332.0215
jgrier@grierlaw.com
cwright@grierlaw.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the *Fourth Motion for Compensation to Grier Furr & Crisp, PA, Attorneys for Receiver; Second Motion of Receiver for Compensation to Edward P. Bowers and Middleswarth, Bowers & Company, Accountants for the Receiver; Notice of Motion and Receiver's Fourth Report*, were served by CM/ECF system upon the following parties:

Investors by email

Stephen M. Humenik
Anne M. Termine
Gretchen L. Lowe
U.S. Commodity Futures Trading Commission
Division of Enforcement
Three Lafayette Center
1151 21st St., NW
Washington, DC 20851
Email: shumenik@cftc.gov
Email: atermine@cftc.gov
Email: glowe@cftc.gov

Robert A. Blake, Jr.
James F. Wyatt, III
Wyatt & Blake, LLP
435 East Morehead Street
Charlotte, NC 28202
Email: rblake@wyattlaw.net
Email: jwyatt@wyattlaw.net

James C. Smith, Esq.
Bradley Arant Boult & Cummings
Bank of America Corporate Center
100 N. Tryon St., Ste. 2690
Charlotte, NC 28202
Email: jsmith@babco.com

Gene B. Tarr
PO Drawer 25008
Winston-Salem, NC 27114-5008
Email: gbt@blancolaw.com

Marc R. Gordon
Giordano, Gordon & Burns, PLLC
319 S. Sharon Amity Road, Ste. 230

Charlotte, NC 28211
Email: mg@ggandblaw.com

Robert J. Wishart
Megan Sadler
Wishart Norris Henninger & Pittman, PA
6832 Morrison Blvd.
Charlotte, NC 28211
Bob.wishart@wnhplaw.com
Megan.sadler@wnhplaw.com

This the ____ November, 2009.

/s/ Joseph W. Grier, III
Joseph W. Grier, III
Grier Furr & Crisp, PA
101 N. Tryon St., Ste. 1240
Charlotte, NC 28246
(704) 332-0215 - Fax