

Receivership Management, Inc.

783 Old Hickory Blvd., Suite 255 Brentwood, TN 37027 (615) 370-0051 Fax (615) 373-4336

December 16, 2013

Ms. Eva Lemeh, Chapter 7 Trustee
Sommet Group LLC
4300 Kings Lane
Nashville, TN 37218

Isabel Colon, Regional Director
Employee Benefits Security Administration
U.S. Department of Labor
61 Forsyth Street SW
Suite 7B54 - SNAFC
Atlanta, GA 30303

Robert M. Lewis
Counsel
U.S. Department of Labor
Office of the Solicitor, Atlanta Regional Office
Sam Nunn Atlanta Federal Center
61 Forsyth Street, Room 7T10
Atlanta, GA 30303

RE: Sommet Group LLC 401(K) Plan
Successor Trustee's Twenty-Second Report and Fee Notice

Dear Ms. Lemeh, Ms. Colon and Mr. Lewis:

Pursuant to the Appointment and Engagement Documents entered by Samuel K. Crocker, Chapter 7 Trustee dated October 20, 2010, the Successor Trustee and Named Plan Administrator of the Sommet Group LLC 401(K) Plan (the "Plan") submits this Twenty-Second Report and Fee Notice for fees and expenses for the period November 1, 2013 – November 30, 2013.

ACTIVITY REPORT

On October 12, 2011 a Voluntary Compliance Program application was submitted to the Internal Revenue Service advising as to seven (7) failures and the proposed methods of correction. On April 15, 2013, the IRS issued its compliance statement regarding acceptance of the proposed corrective action to the seven (7) failures. We have taken those corrective actions. The active participating employers have submitted their termination documents. Three employers (Bread & Company, Walick-Kemp, and

Millennium Water Alliance) transferred plan assets to a successor plan. Walick-Kemp's transfer occurred on October 16th and Bread and Company's occurred on October 21st. Millennium Water Alliance's plan administrator has not accepted the plan transfer and our ERISA counsel is attempting to work with that plan to resolve the problem. All other employers have terminated their plans and participant distributions will occur.

We have just completed the blackout period, which commenced on September 1, 2013 and ended on November 15, 2013. All participants who completed forms and established accounts with electronic funds transfer received roll-over distributions as directed by them. A total of \$371,894.10 was distributed in this way. All other participant accounts have been transferred to a bank account established at Regions Bank for the Plan from which missing participant distributions and non-electronic funds transfers will occur. A total of \$283,257.40 was transferred to this account. The RMI office is responding to questions assisting the members with their forms. We have advised members that December 15, 2013 is the cutoff for finalizing their forms.

Any undistributed accounts held by John Hancock on November 15, 2013 have been transferred to an account RMI established and will be processed as either missing participants or checks paid to any member who did not provide John Hancock with a bank account for payment. All 1099 reporting for those accounts that John Hancock will distribute pursuant to completed distribution forms will be handled by John Hancock. All missing participant distribution 1099 reporting or as necessary for any members transferred and not paid by John Hancock will be completed by RMI. It is the intention of the Successor Trustee to complete all work for this plan by the end of 2013 so that other than filing the final 5500 and the final notice to the court, all funds will be distributed.

ACCOUNTINGS REGARDING THE 401(k) PLAN

The Successor Trustee reported an earlier procedure which anticipated monthly deductions in the exact amounts authorized and not objected to. John Hancock reported that its systems were not able to comply with this request. Therefore a modification was instituted to accommodate the Hancock systems. A set 3% of plan assets will be deducted monthly and paid quarterly to the Successor Trustee. The Successor Trustee will then accumulate these fees in an account for Plan expenses. Approved expenses will then be paid from this account as funds become available. The review and approval procedure as outlined remains as follows: The Successor Trustee will provide written notice (the "Fee Notice") of such compensation, fees or expenses, by filing the Fee Notice with the Chapter 7 Bankruptcy Trustee, and by serving a copy to the U.S. Department of Labor, Employee Benefits Security Administration, Atlanta Regional Office, Atlanta, Georgia. If, within fifteen (15) days after filing of a Fee Notice with the Chapter 7 Trustee, no objection to the Fee Notice or payment by the Plan of the compensation, fees or expenses described therein is filed with the Successor Trustee, such compensation, fees or expenses shall be deemed reasonable expenses of the Plan

and shall be paid by the Plan without further action or approval. The Successor Trustee has received the final payment from John Hancock pursuant to this process.

Attached hereto as **Exhibit 1** is a schedule of the hourly rates for the Successor Trustee and the hourly rates of any staff of Receivership Management, Inc. that might be used to carry out the terms of the Appointment.

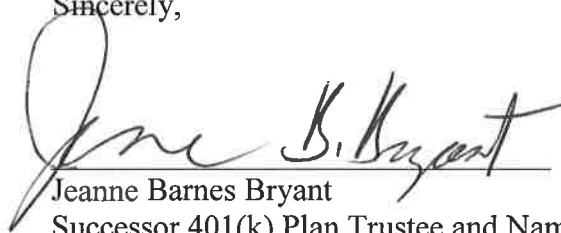
Attached hereto as **Collective Exhibit 2** are expense summaries for the period November 1, 2013 – November 30, 2013. Total expenses, as listed on Exhibit 2 include \$1,410.00 in Successor Trustee fees, \$2,142.00 in contract labor expenses, and \$631.55 in other expenses (which include identified charges for other fees, postage, copies, telephone, travel, etc.).

In the absence of any objection, reimbursement of \$1,410.00 in Successor Trustee fees, \$2,142.00 in contract labor expenses, and \$631.55 for other expenses will be paid from the Plan in accordance with the Appointment. The exact amounts and the parties to be paid are listed below:

- | | | |
|----|------------------------------|------------|
| 1. | Jeanne Barnes Bryant | \$1,410.00 |
| 2. | Receivership Management Inc. | \$2,773.55 |
| | \$2,142.00/Contract labor | |
| | \$631.55/Other expenses | |

If no objection is filed with the Successor Trustee within fifteen (15) days after the filing of the Fee Notice with Ms. LeMeh, the Successor Trustee will proceed to authorize payments due counsel and any other parties listed.

Sincerely,



Jeanne Barnes Bryant
Successor 401(k) Plan Trustee and Named Plan
Administrator
Sommet Group LLC 401(K) Plan
783 Old Hickory Blvd., Ste 255
Brentwood, TN 37027
Telephone: 615-370-0051
Fax: 615-373-4336

Receivership Management, Inc.

783 Old Hickory Blvd., Suite 255 Brentwood, TN 37027 (615) 370-0051 Fax (615) 373-4336

Effective July 1, 2008

Fee Schedule for Receivership Management, Inc:

Jeanne Barnes Bryant	\$150 per hour
Rob Moore	\$130 per hour
Billy Spaulding	\$110 per hour
Sarah Forton	\$45 per hour

Information Tech Consultant	\$65 per hour
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Overhead charges are allocated pro-rata based upon the number of hours billed to a receivership. Currently overhead is billed at \$11.00 per hour. Overhead includes expenses of a general nature which cannot be charged to a specific receivership. Examples include depreciation on equipment, insurance, etc.

Rent is allocated to a receivership based on a physical presence (ie. Files, records, and other documentation) at the RMI location and the time spent on that receivership. It is by its nature an estimate and is normally set at the beginning of each quarter and remains constant during that quarter. The allocation is reviewed each month and if there is a material change in either the physical presence occupied or time spent on the receivership, the rent allocation is adjusted to reflect current conditions.

Office Expenses which can be specifically identified to a receivership (eg. telephone, postage, copies etc.) are charged to the receivership as incurred.

Travel: Per Diem-\$39.00 for meals and incidentals (first and last day of travel 75% of per diem amount allowed). Per Diem paid only if overnight travel is required. Transportation: By private car: 50 cents per mile; By common carrier: Actual ticket cost at coach. Lodging: Actual amount charged.



SUMMARY TIME SHEET-SUCCESSOR TRUSTEE
SERVICES PROVIDED FOR SOMMET GROUP 401K PLAN
FOR THE PERIOD 11/01/13 THROUGH 11/30/13

Jeanne Barnes Bryant

NOVEMBER 2013 FEES	<u>1,410.00</u>
TOTAL FEES	<u><u>\$1,410.00</u></u>



Receivership Management, Inc.
P. O. Box 2307
Brentwood, TN 37024

Invoice for Professional Services

SOMMET GROUP LLC 401K PLAN		November 2013	
11/1/2013	Jeanne Barnes Bryant	REVIEW AND SIGN FORMS, DISCUSSION WITH SARAH FORTON RE HANCOCK QUESTIONS, REVIEW REPORT	0.5 \$150.00 \$75.00
11/4/2013	Jeanne Barnes Bryant	REVIEW AND SIGN FORMS, DISCUSSION RE QUESTIONS FROM HANCOCK, CALLS FROM MEMBERS RE QUESTIONS, DISCUSSION WITH SARAH FORTON RE HANCOCK ISSUES	0.7 \$150.00 \$105.00
11/5/2013	Jeanne Barnes Bryant	CALL WITH ROB MOORE RE HANCOCK ISSUES, WORK WITH SARAH FORTON RE SAME, E-MAILS AND CALLS TO HANCOCK RE UPDATE AND PROCESS	1 \$150.00 \$150.00
11/6/2013	Jeanne Barnes Bryant	E-MAILS TO AND FROM HANCOCK RE PROCESS AND QUESTIONS, RESPONSE FROM SARAH FORTON RE SAME, REVIEW LISTS AND QUESTIONS	0.7 \$150.00 \$105.00
11/7/2013	Jeanne Barnes Bryant	E-MAIL TO AND FROM HANCOCK RE QUESTIONS	0.3 \$150.00 \$45.00
11/8/2013	Jeanne Barnes Bryant	E-MAILS FROM SARAH FORTON, E-MAILS TO HANCOCK RE PROCESSING	0.4 \$150.00 \$60.00
11/12/2013	Jeanne Barnes Bryant	E-MAILS TO AND FROM LANA TARRANT RE QUESTIONS AND ANSWERS FOR NOVEMBER DEADLINE, QUESTION TO SARAH FORTON RE SAME, E-MAILS TO AND FROM SARAH FORTON RE QUESTIONS	0.8 \$150.00 \$120.00
11/13/2013	Jeanne Barnes Bryant	E-MAIL FROM SARAH FORTON RE BANK ACCOUNT, DISCUSSION AND SET UP OF ACCOUNT, QUESTIONS RE CHECK ISSUES, E-MAIL TO SARAH FORTON RE SAME	0.6 \$150.00 \$90.00
11/14/2013	Jeanne Barnes Bryant	E-MAILS TO AND FROM HANCOCK RE FINAL ISSUES, DISCUSSION RE SAME, E-MAIL RE ACCOUNT	0.5 \$150.00 \$75.00
11/15/2013	Jeanne Barnes Bryant	QUESTIONS RE HANCOCK DISTRIBUTION, E-MAIL RE OCTOBER REPORT, QUESTIONS RE SAME	0.5 \$150.00 \$75.00

Thursday, December 12, 2013

SOMMET GROUP LLC 401K PLAN**November 2013**

11/18/2013	Jeanne Barnes Bryant	WORK RE REPORT, QUESTION RE BANK ACCOUNT, VISIT TO BANK RE TRANSFERS, DISCUSSION WITH SARAH FORTON RE REPORT	1	\$150.00	\$150.00	
11/19/2013	Jeanne Barnes Bryant	QUESTIONS FROM HANCOCK, DISCUSSION WITH ROB MOORE RE SAME	0.3	\$150.00	\$45.00	
11/20/2013	Jeanne Barnes Bryant	REVIEW AND SIGN FORMS	0.2	\$150.00	\$30.00	
11/21/2013	Jeanne Barnes Bryant	REVIEW AND SIGN FORMS, QUESTIONS RE HANCOCK	0.3	\$150.00	\$45.00	
11/22/2013	Jeanne Barnes Bryant	REVIEW AND SIGN FORMS, CALLS FROM MEMBERS, E-MAIL FROM LANA TARRANT RE ADDITIONAL BOUNCE BACK	0.4	\$150.00	\$60.00	
11/25/2013	Jeanne Barnes Bryant	E-MAILS RE CHANGES, REVIEW AND SIGN FORMS	0.2	\$150.00	\$30.00	
11/26/2013	Jeanne Barnes Bryant	CALLS FROM MEMBERS RE CHECKS, DISCUSSION WITH SARAH FORTON RE SAME, E-MAIL TO HANCOCK	0.5	\$150.00	\$75.00	
11/27/2013	Jeanne Barnes Bryant	E-MAIL FROM SARAH FORTON RE QUESTION TO MEMBER AND CHECK ISSUES, DISCUSSION WITH ROB MOORE AND BILLY SPAULDING RE FINAL 5500 ISSUES	0.5	\$150.00	\$75.00	

Total**\$1,410.00**

SUMMARY TIME SHEET-CONTRACT LABOR
SERVICES PROVIDED FOR SOMMET GROUP 401K PLAN
FOR THE PERIOD 11/01/13 THROUGH 11/30/13

Receivership Management, Inc.

NOVEMBER 2013 FEES	2,142.00
RMI EXPENSES	<u>631.55</u>
TOTAL FEES	<u><u>\$2,773.55</u></u>

Receivership Management, Inc.
P. O. Box 2307
Brentwood, TN 37024

Invoice for Professional Services

SOMMET GROUP LLC 401K PLAN **November 2013**

Date	Client	Description	Hours	Rate	Total
11/1/2013	Robert E. Moore, Jr.	EMAILS FROM L.TARRANT RE: INFORMATION REQUESTS, FORWARD TO S.FORTON .2;	0.2	\$130.00	\$26.00
11/1/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK, LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	3	\$45.00	\$135.00
11/4/2013	Robert E. Moore, Jr.	EMAILS TO AND FROM L.TARRANT, J.BRYANT, S.FORTON RE: TERMINATION AND ROLLOVER INFORMATION .3	0.3	\$130.00	\$39.00
11/4/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK, LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	3	\$45.00	\$135.00
11/5/2013	Robert E. Moore, Jr.	EMAILS TO AND FROM L.TARRANT, J.BRYANT, S.FORTON RE: TERMINATION AND ROLLOVER INFORMATION .3	0.3	\$130.00	\$39.00
11/5/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK, LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	2	\$45.00	\$90.00
11/6/2013	Robert E. Moore, Jr.	EMAILS TO AND FROM L.TARRANT, J.BRYANT, S.FORTON RE: TERMINATION AND ROLLOVER INFORMATION .3	0.3	\$130.00	\$39.00
11/6/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK, LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	2	\$45.00	\$90.00
11/7/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK, LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	2	\$45.00	\$90.00

SOMMET GROUP LLC 401K PLAN

November 2013

Date	Name	Description	Hours	Rate	Total
11/8/2013	Sarah D. Forton	CALLS TO PARTICIPANTS RE MISSING DISTRIBUTION INFORMATION PER JOHN HANCOCK. LOG IN DISTRIBUTION FORMS RECEIVED, FAX DISTRIBUTION FORMS TO JOHN HANCOCK	1	\$45.00	\$45.00
11/12/2013	Robert E. Moore, Jr.	CALL WITH L.TARRANT RE: DEATH BENEFIT DISTRIBUTION .2; INFORMATION RE: HARDSHIP BASIS FORWARDED TO ALICA CRAWFORD RE: WALICK KEMP .10	0.1	\$130.00	\$13.00
11/13/2013	Robert E. Moore, Jr.	EMAIL TO L.TARRANT RE: FUNDS TRANSFER ACCOUNT INFORMATION UPDATE .10	0.1	\$130.00	\$13.00
11/14/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, CALLS TO BANK RE: ROUTING INSTRUCTIONS	1.5	\$45.00	\$67.50
11/15/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS	1.5	\$45.00	\$67.50
11/18/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS	2	\$45.00	\$90.00
11/19/2013	Robert E. Moore, Jr.	REVIEW INFORMATION FROM L.TARRANT, DISCUSSION WITH S.FORTON, CALL WITH L.TARRANT, CALL WITH L.GROSS, UPDATE S.FORTON AND J.BRYANT RE: SAME .65	0.65	\$130.00	\$84.50
11/20/2013	Robert E. Moore, Jr.	CALL WITH WILLIAM ANDERSON RE: ACCOUNT INFORMATION .2; REVIEW FORMS ON FAILED TRANSACTIONS, PREPARE REVISED DISTRIBUTION INSTRUCTIONS FOR HANCOCK FOR 4 PARTICIPANTS IDENTIFIED BY L.TARRANT 1.10	1.3	\$130.00	\$169.00
11/20/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, E-MAIL RE: EFT RETURNS FROM J HANCOCK, PULL FILES RE: SAME, DISCUSSION WITH W ANDERSON RE: SAME, WORK ON FEE REPORT, PREPARATION OF CERTIFIED MAIL RE: RE-MAIL DISTRIBUTION FORMS, FAX UNSETTLED PARTICIPANT FORMS TO JOHN HANCOCK	3.5	\$45.00	\$157.50
11/21/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, E-MAILS TO J HANCOCK RE: SAME, FAX UNSETTLED PARTICIPANT FORMS TO JOHN HANCOCK, RE-MAIL DISTRIBUTION FORMS, WORK ON DISTRIBUTION, PREPARATION OF CHECKS RE: SAME, TRAVEL TO BANK, MAKE DEPOSIT	3	\$45.00	\$135.00
11/22/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, RE-MAIL DISTRIBUTION FORMS	1.5	\$45.00	\$67.50

SOMMET GROUP LLC 401K PLAN

November 2013

Date	Name	Description	Code	Amount
11/25/2013	Billy B. Spaulding	ANALYSIS OF BACKUP RECEIVED FROM JHC FOR CLAIMS PAYOUT FUNDS. SET UP GL TO ACCOUNT FOR ALL FUNDS RECEIVED AND PAID OUT. POST ACCOUNTING ENTRIES TO GL TO SET UP ACCOUNTING CONTROL ACCOUNTS.	1.5	\$110.00
11/25/2013	Robert E. Moore, Jr.	REVIEW AND PREPARE UNSETTLED DISTRIBUTION FORMS AND PROCESS TO L.TARRANT, RESPOND TO QUESTION RE: SAME FROM S.FORTON AND J.BRYANT 1.2	1.2	\$130.00
11/25/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, RE-MAIL DISTRIBUTION FORMS	1.5	\$45.00
11/26/2013	Sarah D. Forton	CALLS FROM PARTICIPANTS RE: STATUS, RE-MAIL DISTRIBUTION FORMS, WORK ON RECONCILIATION OF DISTRIBUTIONS FROM JOHN HANCOCK	3	\$45.00
11/27/2013	Robert E. Moore, Jr.	MEETING WITH J.BRYANT AND B.SPAULDING RE: REMAINING DISTRIBUTIONS, PAYMENTS PENDING .2	0.2	\$130.00
Total				\$2,142.00

RMI EXPENSE RECOVERABLE SOMMET 401 K

11/1/13 Through 11/30/13

Category Description	11/1/13- 11/30/13	OVERALL TOTAL
5250 OH ADJ TO BILL		
5690-RMI OH EXPENSE	-506.55	-506.55
TOTAL 5250 OH ADJ TO BILL	-506.55	-506.55
5300 EXPENSES		
6060-RENT	-55.88	-55.88
6205-COPIES	-19.70	-19.70
6210-POSTAGE	-23.82	-23.82
6222-TELEPHONE LONG DISTANCE	-25.60	-25.60
TOTAL 5300 EXPENSES	-125.00	-125.00
OVERALL TOTAL	-631.55	-631.55