

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WASHTENAW

CAN IV PACKARD SQUARE, LLC,
a Delaware limited liability company,

Plaintiff,

v

PACKARD SQUARE, LLC,
A Michigan limited liability company,

Defendant,

and

ALLIED BUILDING PRODUCTS CORP.,
an Ohio corporation, AMTHOR STEEL,
a Pennsylvania corporation, ASSEMBLERS
PRECAST & STEEL SERVICES, INC.,
a Michigan corporation, THE BELDEN
BRICK SALES CO., a Michigan corporation,
CITY ELECTRIC SUPPLY COMPANY, a
Massachusetts corporation, CONSTRUCTION
AHEAD, INC., an Illinois corporation, D & V
EXCAVATING, a Michigan corporation, E.L. PAINTING CO.,
a Michigan corporation, E.L.S. CONSTRUCTION, INC.,
a Michigan corporation, EVERGREEN CIVIL, LLC,
a Michigan corporation, GAYLOR ELECTRIC INC.,
a foreign corporation, HARNISH FIREPROOFING, LLC,
a Michigan corporation, JACKIE'S TRANSPORT, INC.,
a Michigan corporation, JERMOR PLUMBING &
HEATING, INC., a Michigan corporation,
JSC CONSTRUCTION, INC., a Michigan corporation,
MASONRY DEVELOPERS, INC., a Michigan corporation,
MICHIGAN WOODWORK, LLC, a Michigan corporation,
QUANDEL CONSTRUCTION GROUP, INC., a
Pennsylvania corporation, R.A.M. CONSTRUCTION
SERVICES OF MICHIGAN, INC., a Michigan
Corporation, SHARON'S HEATING & AIR
CONDITIONING, INC., a Michigan corporation,
STETSON BUILDING PRODUCTS, an Iowa
Corporation, SUMMIT BUILDING SERVICES, LLC,
A Michigan corporation, WELLING INC., an Ohio corporation,
ZEELAND LUMBER AND SUPPLY CO., a Michigan

Case No. 16-990-CB
Hon. Archie C. Brown

**RECEIVER'S NOTICE OF
FILING OF RECEIVER'S
REPORT DATED
AUGUST 25, 2017**

corporation and John Does 1-100,

Additional Lien Claimant Defendants,

And any and all Counter-, Cross-, and Third-Party Claims.

J. Benjamin Dolan (P47839)
James B. Cunningham (P63131)
Ariana F. Pellegrino (P79104)
Dickinson Wright, PLLC
Attorneys for Plaintiff
2600 W. Big Beaver Road, Suite 300
Troy, MI 48084
(248) 433-7200
bdolan@dickinsonwright.com
jcunningham@dickinsonwright.com
apellegrino@dickinsonwright.com

James A. Fink (P40386)
Joshua R. Fink (P66210)
Fink & Fink, PLLC
Attorneys for Receiver
320 North Main Street, Suite 300
Ann Arbor, MI 48104
(734) 994-1077
james.fink@finkandfink.com
joshua.fink@finkandfink.com

Ralph Colasuonno (P55019)
Warner Norcross & Judd, LLP
Co-Counsel for Receiver
45000 River Ridge Drive, Suite 300
Clinton Township, MI 48038
(248) 784-5033
rcolasuonno@wnj.com

Angela L. Jackson (P53930)
Bruce T. Wallace (P24148)
Adam M. Linkner (P78784)
Oscar A. Rodriguez (P73413)
Hooper Hathaway, PC
Attorneys for Defendant
126 South Main Street
Ann Arbor, MI 48104
ajackson@hooperhathaway.com
bwallace@hooperhathaway.com
alinkner@hooperhathaway.com
orod@hooperhathaway.com

John M. Sier (P39336)
Yasir Muhammad (P79976)
Kitch Drutchas Wagner
Valitutti & Sherbrook
Attorneys for Defendant
One Woodward Ave., Suite 2400
Detroit, MI 48226
(313) 965-2915
john.sier@kitch.com
yasir.muhammad@kitch.com

Ronald A. Deneweth (P27680)
Matthew C. Herstein (P68596)
Deneweth, Dugan & Parfitt, PC
Attorneys for Defendants Jermor
Plumbing & Heating, Inc. and
Harnish Fireproofing, LLC
1175 W. Long Lake Road, Suite 202
Troy, MI 48098-4437
(248) 290-0400
rdeneweth@ddp-law.com
mherstein@ddp-law.com

Marty A. Burnstein (P11443)
Law Office of Marty A. Burnstein
Attorney for Defendants ELS Construction,
Evergreen Civil, LLC and Jackie's
Transport, Inc.
1175 W. Long Lake Road, Suite 202
Troy, MI 48098
(248) 290-0400
mburnstein@martyburnsteinlaw.com

Roy C. Sgroi (P28168)
Sgroi Law Firm, PLC
Attorneys for Defendant Welling, Inc.
12845 Farmington Road, Suite 1
Livonia, MI 48150
(734) 421-9200
rcs@sgroilaw.com

Jeffrey G. Muth (P65041)
Christopher E. Nyenhuis (P80028)
Miller Johnson
Attorneys for Defendant Zeeland Lumber
and Supply Co.
45 Ottawa Avenue SW, Suite 1100
Grand Rapids, MI 49503
(616) 831-1700
muthjg@millerjohnson.com
nyenhuisc@millerjohnson.com

Gerald J. Richter (P38822)
Facca, Richter & Pregler, PC
Attorneys for Stetson Building Products, Inc.
6050 Livernois
Troy, MI 48098
(248) 813-9900
grichter@frplaw.com

R. Edward Boucher (P57251)
Kotz, Sangster, Wysocki, PC
Attorneys for R.A.M. Construction
Services of Michigan, Inc.
400 Renaissance Center, Suite 3400
Detroit, MI 48243
(313) 259-8300

James R. Case (P31583)
Michael D. Carroll (P53815)
Kerr, Russell & Weber, PLC
Attorneys for Defendant
Gaylor Electric, Inc.
500 Woodward Ave., Suite 2500
Detroit, MI 48226
(313) 961-0200
jcase@kerr-russell.com
mcarroll@kerr-russell.com

Eric J. Flessland (P35668)
Butzel Long
Attorneys for Defendant
Amthor Steel
150 W. Jefferson, Suite 100
Detroit, MI 48226
(313) 225-7000
flessland@butzel.com

Bruce N. Elliott (P28770)
Conlin, McKenney & Philbrick, PC
Co-Counsel for Defendant Quandel
Construction Group, Inc.
350 S. Main Street, Suite 400
Ann Arbor, MI 48104
(734) 761-9000
elliott@cmplaw.com

Evan M. Chall (P72058)
Wright Beamer, PC
Attorneys for Sharon's Heating &
Air Conditioning, Inc.
31500 Northwestern Hwy., Suite 140
Farmington Hills, MI 48334-2568
(248) 893-1407
echall@wrightbeamer.com

James L. Dyer (P32544)
Johnson, Rosati, Schultz
& Joppich, PC
Attorney for Defendant Summit
Building Services, LLC
822 Centennial Way, Suite 270
Lansing, MI 48917
(517) 886-3800 jdyer@jrsjlaw.com

Andrew J. Natale (Ohio 0042110)
Thomas E. Cardone (Ohio0090270)
Frantz Ward, LLP
Attorneys for Quandel Construction Group
200 Public Square, Suite 3000
Cleveland, OH 44144
(215) 515-1660
anatale@frantzward.com
tcardone@frantzward.com

John F. Fleming (P43323)
Kallas & Henk, PC
Attorneys for Assemblers Precast & Steel Services, Inc.
43902 Woodward Ave., Suite 200
Bloomfield Hills, MI 48302
(248) 335-5450 ext. 213
jfleming@kallashenk.com

Timothy J. Kramer (P36223)
Abbott Nicholson, PC
Attorneys for Construction Ahead, Inc.
300 River Place, Suite 3000
Detroit, MI 48207-4225
(313) 566-2500
tjkramer@abbottnicholson.com

John R. Badeen (P71014)
Xuereb Law Group, PC
Attorneys for E.L. Painting Co.
7752 N. Canton Center Rd. Suite 110
Canton, MI 48187
(734) 455-2000
jbadeen@xuereblawgroup.com

Aaron W. Goren (P14203)
Gottlieb & Goren, PC
Attorneys for D&V Excavating, Inc.
30150 Telegraph Road, Suite 249
Bingham Farms, MI 48025
(248) 593-0090
agoren@g2law.net

I. Matthew Miller (P51351)
Swistak Levine, PC
Co-Counsel for Defendant
Packard Square, LLC
30833 Northwestern Hwy. #120
Farmington Hills, MI 48334
(248) 851-8000
mmiller@swistaklevine.com

RECEIVER'S NOTICE OF FILING OF RECEIVER'S REPORT
DATED AUGUST 25, 2017

TO: ALL COUNSEL OF RECORD

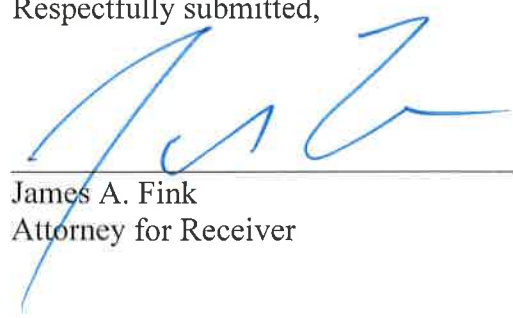
PLEASE TAKE NOTICE THAT THE ATTACHED RECEIVER'S REPORT DATED
AUGUST 25, 2017 WILL BE FILED WITH THE COURT ON FRIDAY, AUGUST 25, 2017.

Dated: August 25, 2017

Prepared by:

Fink & Fink, PLLC
James A. Fink (P40386)
Attorneys for Receiver

Respectfully submitted,


James A. Fink
Attorney for Receiver

NOTICE OF FILING RECEIVER'S REPORT

The Receiver, McKinley, Inc., hereby files this Receiver's Report, dated August 25, 2017, in accordance with the Order Appointing Receiver entered on November 1st, 2016.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Matthew D. Mason", is written over a horizontal line.

Matthew D. Mason, as
Representative for McKinley, Inc. receiver
for Packard Square LLC
320 N. Main Street, Suite 200
Ann Arbor, MI 48104
Phone: (734) 274-6300

**Packard Square
Monthly Receiver Report
August 25, 2017**

Management Activity

During the timeframe from July 27th, 2017, through August 25th, 2017, McKinley, in its capacity as Receiver, performed the following tasks and made the following findings:

- JSC installed the roof on the pool house.
- Starky's continued the installation of the exterior framing in the drive through areas.
- Evergreen Civil started the off-site sanitary installation and completed the installation of the underground sanitary service line. Restoration of the hardscaping and landscaping will follow as well as final city approval.
- Hopp Electric continued its rough electrical work in the building as well as underground conduit work in the interior courtyard.
- Construction Ahead continued the installation of the fiber cement panels, including installation of the balcony and parapet details. In addition, Construction Ahead started the installation of vinyl siding in the interior courtyard, which is now approximately 75% complete.
- JSC continued work on exterior flashing and continued installation of roof curbs.
- Jermor Plumbing continued rough plumbing throughout the building, including in the pool house. Jermor had rough inspections on the second and third floors on the North side of the building.
- Sharon's continued rough HVAC work in apartments.
- The low voltage communications work continued within the apartment units.
- Thermal and sound insulation continued on the first and fourth floors.
- Fire suppression rough work was completed in the majority of the building, with the exception of the parking garage and North retail wing.
- Work began on the Packard Street approaches.
- Albanelli continued concrete installation throughout the site, including walkways adjacent to the building, pool courtyard patios, and sidewalk areas below the drive through areas.
- Golich began installing the storefront windows.
- RAM construction completed waterproofing repairs at the stair towers.
- Turner Landscaping installed plantings on the South side of the building.

**Packard Square
Monthly Receiver Report
August 25, 2017**

- The model unit was completed though painting, including trim carpentry, and ceramic tile installation.
- Jalan continues to drywall units on the fourth floor in the North section of the building.
- McKinley had numerous meetings with O'Brien Construction to discuss the various aspects of the project.
- McKinley and O'Brien Construction held various meetings with subcontractors as the project continues to progress.
- McKinley continues to perform detailed, weekly site inspections of the entire project, in addition to its many other walks throughout the property.
- Receiver reviewed and prepared litigation filings and attended associated court hearings.

Exhibit List

Exhibit A – Site Photos

Exhibit B – General Ledger

Exhibit C – Bank Reconciliation

Exhibit D – Status Update on List of Issues and Defects

Exhibit E – Electrical Issues

**Packard Square
Monthly Receiver Report
August 25, 2017**

Exhibit A



Vinyl siding installation and pool house roof installed.



Off-site sanitary installation.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Off-site sanitary installation.



Off-site sanitary installation.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Packard Street approach installation in process.



Packard Street approach installation in process.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Installation of the exterior framing and cement in the drive through areas.



Installation of the exterior framing and cement in the drive through areas.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Fiber cement siding installation.



Landscaping installation.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Insulation and drywall installation on the fourth floor.



Model unit cabinet installation.

**Packard Square
Monthly Receiver Report
August 25, 2017**



Model unit trim carpentry and paint.



Model unit tile installation.

Database: MCKINLEY
ENTITY: 211920
RCV_GENLEDG
Cash

General Ledger
McKinley Associates
Packard Square

07/17 - 07/17

EXHIBIT B

Page: 1
Date: 8/1/2017
Time: 01:50 PM

Account Entity	Period	Entry Date	Src Reference	Site Id	Job Code	Description	Dept	Debit	Credit	Balance
1101-000			Cash - Operating			<i>Balance Forward</i>				1,133,690.09
211920	07/17	7/3/2017	AP 631751	HQ		A/P Cash Disbursed for checks 10073-10074		575,576.59		558,113.50
211920	07/17	7/3/2017	DL 927785	HQ		Wire out to Liberty Title		250,000.00		308,113.50
						Final easement development maintenance agreement.				
211920	07/17	7/5/2017	AP 632281	HQ		A/P Cash Disbursed for checks 10075-10086		184,819.98		123,293.52
211920	07/17	7/12/2017	DL 933205	HQ		7/17 Funding				
211920	07/17	7/13/2017	AP 633910	HQ		A/P Cash Disbursed for checks 10087-10087		38,607.99	5,401.94	161,901.51
211920	07/17	7/13/2017	DL 939678	HQ		Wire to Liberty Title		33,206.05		123,293.52
211920	07/17	7/31/2017	DL 939659	HQ		7/17 Funding		2,665,313.22		2,788,606.74
Subtotal:							2,703,921.21	1,049,004.56		1,654,916.65
** Account Totals							2,703,921.21	1,049,004.56		2,788,606.74
1215-000			Intercompany Accounts Receivable			<i>Balance Forward</i>				0.00
211920	07/17	7/3/2017	AP 631750	HQ		Cash Intercompany Entry for 211920				
211920	07/17	7/3/2017	AP 631751	HQ		Cash Intercompany Entry for 211920		575,576.59		-575,576.59
211920	07/17	7/5/2017	AP 632280	HQ		Cash Intercompany Entry for 211920		184,819.98		-184,819.98
211920	07/17	7/5/2017	AP 632281	HQ		Cash Intercompany Entry for 211920				0.00
211920	07/17	7/13/2017	AP 633909	HQ		Cash Intercompany Entry for 211920		5,401.94		-5,401.94
211920	07/17	7/13/2017	AP 633910	HQ		Cash Intercompany Entry for 211920				0.00
Subtotal:							765,798.51	765,798.51		0.00
** Account Totals							765,798.51	765,798.51		0.00
1240-000			Other Accounts Receivable			<i>Balance Forward</i>				0.00
1508-000			Construction Supervision Fee			<i>Balance Forward</i>				21,919.26
211920	07/17	7/5/2017	AP 632280	HQ		MCKIINC - 4/17 Construction Supervision Fee		4,112.32		26,031.58
						042017/211920 - 4/17 Construction Superv Fee				
Subtotal:							4,112.32	0.00		4,112.32

Database: MCKINLEY
 ENTITY: 211920
 RCV_GENLEDG
 Cash

General Ledger
 McKinley Associates
 Packard Square
 07/17 - 07/17

Page: 2
 Date: 8/1/2017
 Time: 01:50 PM

Account Entity	Entry Period	Date	Site Id	Job Code	Dept	Description	Debit	Credit	Balance
-------------------	-----------------	------	------------	-------------	------	-------------	-------	--------	---------

1508-000 - Construction Supervision Fee (Continued)

** Account Totals							4,112.32	0.00	26,031.58
<i>Balance Forward</i>									3,615,941.60
211920	07/17	7/3/2017	AP	631750	HQ	OBRICON - App#2 Job 1680			
211920	07/17	7/3/2017	AP	631750	HQ	App #2 Job#1680 - App#2 Job #1680	571,242.31		4,187,183.91
211920	07/17	7/3/2017	DL	927785	HQ	DETDIS - Relocation of of streetslights/streetlight posts at 2502 Packard 061917/RELO -	4,334.28		4,191,518.19
211920	07/17	7/3/2017	DL	927785	HQ	Wire out to Liberty Title Final easement development maintenance agreement.	250,000.00		4,441,518.19
211920	07/17	7/5/2017	AP	632280	HQ	RAMCONS - Hard Cost Phase 1 - Prev Change Order	39,500.00		4,481,018.19
211920	07/17	7/5/2017	AP	632280	HQ	RAM01/211920 -			
211920	07/17	7/5/2017	AP	632280	HQ	RAMCONS - Hard Cost Phase 1 - Settlement Agreement	27,355.00		4,508,373.19
211920	07/17	7/5/2017	AP	632280	HQ	RAM02/211920 -			
211920	07/17	7/5/2017	AP	632280	HQ	JOHTAG - Construction in progress 17.14-1 -	7,086.73		4,515,459.92
211920	07/17	7/13/2017	AP	633909	HQ	EVECIIV - Construction in Progress 211920 Lien2a -	5,401.94		4,520,861.86
211920	07/17	7/13/2017	DL	939678	HQ	Wire to Liberty Title	33,206.05		4,554,067.91
Subtotal:							938,126.31	0.00	938,126.31

**** Account Totals**

<i>Balance Forward</i>							938,126.31	0.00	4,554,067.91
211920	07/17	7/12/2017	DL	933205	HQ	7/17 Funding		38,607.99	-5,621,886.95
211920	07/17	7/31/2017	DL	939659	HQ	7/17 Funding		2,665,313.22	-8,287,200.17
Subtotal:							0.00	2,703,921.21	-2,703,921.21

**** Account Totals**

<i>Balance Forward</i>							0.00	2,703,921.21	-8,287,200.17
3165-000						Retained Earnings			-586,624.52

Database: MCKINLEY
ENTITY: 211920

RCV_GENLEDG
Cash

General Ledger
McKinley Associates
Packard Square

07/17 - 07/17

Page: 3
Date: 8/1/2017
Time: 01:50 PM

Account Entity	Period	Entry Date	Src Reference	Site Id	Job Code	Dept	Description	Debit	Credit	Balance
5030-000			Advertising				Balance Forward			0.00
211920	07/17	7/5/2017	AP 632280	HQ			APAGUI - November 2016-advertising 1049271048 - Cust No. V805SQ	764.10		764.10
211920	07/17	7/13/2017	DL 939678	HQ			ZILREN - Advertising INV00721534	250.00		1,014.10
211920	07/17	7/13/2017	DL 939678	HQ			FORMEDI - 9/1/16 - 9/30/16 Advertising IN000691810	635.00		1,649.10
211920	07/17	7/13/2017	DL 939678	HQ			FORMEDI - 10/1/16 - 10/31/16 Advertising IN000711577	635.00		2,284.10
211920	07/17	7/13/2017	DL 939678	HQ			FORMEDI - 11/1/16 - 11/30/16 Advertising IN000729921	635.00		2,919.10
211920	07/17	7/13/2017	DL 939678	HQ			FORMEDI - 12/1/16 - 12/31/16 Advertising IN000771283	635.00		3,554.10
211920	07/17	7/13/2017	DL 939678	HQ			FORMEDI - 1/1/17 - 1/31/17 Advertising IN000745429	635.00		4,189.10
Subtotal:								4,189.10	0.00	4,189.10
4,189.10								0.00		4,189.10
5065-000			Media Advertising				Balance Forward			0.00
211920	07/17	7/5/2017	AP 632280	HQ			ZILREN - Advertising Packard Square INV00721534	250.00		250.00
211920	07/17	7/13/2017	DL 939678	HQ			Reclass- Advertising	250.00		0.00
Subtotal:								250.00	250.00	0.00
250.00								250.00		0.00
5090-000			Marketing PR				Balance Forward			3,175.00
211920	07/17	7/13/2017	DL 939678	HQ			Reclass Advertising	3,175.00		0.00
Subtotal:								0.00	3,175.00	-3,175.00
0.00								3,175.00		0.00
5305-000			Legal				Balance Forward			1,049,673.41

Database: MCKINLEY
 ENTITY: 211920
 RCV_GENLEDG
 Cash

General Ledger
 McKinley Associates
 Packard Square

07/17 - 07/17

Page: 4
 Date: 8/1/2017
 Time: 01:50 PM

Account Entity	Entry Period	Entry Date	SrcReference	Site Id	Job Code	Description	Dept	Debit	Credit	Balance
5305-000 - Legal (Continued)										
211920	07/17	7/5/2017	AP 632280	HQ		REACRAN - Packard Square Legal Fees - April 2017		3,011.00		1,052,684.41
211920	07/17	7/5/2017	AP 632280	HQ		104546 - Packard Square Ann Arbor MI WARNNOR - Legal Fees Packard Square March 2017		13,083.00		1,065,767.41
211920	07/17	7/5/2017	AP 632280	HQ		2041917 - Matter #150929.171796 WARNNOR - Legal Fees Packard Square - Jan 2017		937.00		1,066,704.41
211920	07/17	7/13/2017	DL 939678	HQ		2030743 - Matter #150929.171783 GET& - Legal 316		21,426.20		1,088,130.61
Subtotal:								38,457.20	0.00	38,457.20
** Account Totals								38,457.20	0.00	1,088,130.61
5320-000 Professional Services										
5325-000 Consultation										
211920	07/17	7/5/2017	AP 632280	HQ		GET& - Legal - Canyon/Packard 316		21,426.20		42,386.62
211920	07/17	7/13/2017	DL 939678	HQ		GET& - Legal		21,426.20		63,812.82
Subtotal:								21,426.20	21,426.20	42,386.62
** Account Totals								21,426.20	21,426.20	42,386.62
5500-000 Electricity										
5775-000 Signs										
5905-000 Real Estate Taxes										
5950-000 Insurance										
211920	07/17	7/3/2017	DL 927785	HQ		Reclass- Commitment Update 4/17-5/17				
211920	07/17	7/5/2017	AP 632280	HQ		FIRAME - Commitment Update April-May 2017		350.00	350.00	-350.00
Subtotal:								350.00	350.00	0.00
** Account Totals								350.00	350.00	0.00

2182-2182109445 -

Database: MCKINLEY
ENTITY: 211920
RCV_GENLEDG
Cash

General Ledger
McKinley Associates
Packard Square

07/17 - 07/17

Page: 5
Date: 8/1/2017
Time: 01:50 PM

Account Entity	Entry Period	Date	Src Reference	Site Id	Job Code	Description	Dept	Debit	Credit	Balance
-------------------	-----------------	------	------------------	------------	-------------	-------------	------	-------	--------	---------

5950-000 - Insurance (Continued)

** Account Totals										
<i>Balance Forward</i>										
6100-000						Management Fees-McKinley				
211920	07/17	7/5/2017	AP 632280	HQ		MCKINC -				
						211920_0000000001 - Management Fee				
								350.00	350.00	0.00
										75,000.00
								15,000.00		90,000.00
** Account Totals										
<i>Balance Forward</i>										
6200-000						Payroll				
211920	07/17	7/5/2017	AP 632280	HQ		MCKCOM1 - 4/1/17 - 4/30/17		6,300.00		23,945.00
						CPM04302017CA - Dept 507- Chris Allen - CPM				30,245.00
								15,000.00	0.00	90,000.00
								15,000.00	0.00	15,000.00
** Account Totals										
<i>Balance Forward</i>										
6371-000						Building Office Rent				
<i>Balance Forward</i>										
6372-000						Storage				
<i>Balance Forward</i>										
6520-000						Water & Sewer				
<i>Balance Forward</i>										
6615-000						Guard Service Contract				
<i>Balance Forward</i>										
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 1/27/17-2/2/17		3,311.00		85,327.70
						387970.17				
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 2/3/17-2/9/17		3,530.00		88,857.70
						388253.17				
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 2/10/17-2/16/17		3,867.63		92,725.33
						388536.17				
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 2/17/17-2/23/17		3,311.00		96,036.33
						388822.17				
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 3/3/17-3/9/17		3,311.00		99,347.33
						389399.17				

Database: MCKINLEY
 ENTITY: 211920
 RCV_GENLEDG
 Cash

General Ledger
 McKinley Associates
 Packard Square

07/17 - 07/17

Page: 6
 Date: 8/1/2017
 Time: 01:50 PM

Account Entity	Period	Entry Date	SrcReference	Site Id	Job Code	Description	Dept	Debit	Credit	Balance
6615-000 - Guard Service Contract (Continued)										
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 3/10/17-3/16/17				102,804.33
						389694.17 -		3,457.00		
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 3/17/17-3/23/17				106,115.33
						389889.17 -		3,311.00		
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 4/28/17-5/4/17				109,426.33
						391714.17 -		3,311.00		
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 5/12/17-5/18/17				112,956.33
						392287.17 -		3,530.00		
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security service				116,267.33
						5/19/17-5/25/17		3,311.00		
						392573.17 -				
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 5/26/17-6/1/17				119,797.33
						392854.17 -		3,530.00		
211920	07/17	7/5/2017	AP 632280	HQ		PRUDSEC - Security 6/3/17-6/8/17				123,108.33
						393139.17 -		3,311.00		

Subtotal: 41,091.63 0.00 41,091.63
 41,091.63 0.00 123,108.33

**** Account Totals**

Balance Forward

Balance Forward

FIRAME - Commitment Update 4/17-5/17
 2182-2182109445

SECURNS - Insurance related charges
 877571059262 - Client: 8775703066

Subtotal: 4,903.00 0.00 4,903.00
 4,903.00 0.00 67,793.00

**** Account Totals**

**** Grand Totals**

4,543,925.48 4,543,925.48

**Packard Square
Private Bank - Operating Account
GL Account # 1101.000
Period Ending
7/31/2017
Exhibit C**

Entity 211920

920op

Ending balance from bank statement	\$2,788,606.74
------------------------------------	----------------

Add deposits in transit:

Deposit Date	Amount
--------------	--------

Total deposits in transit	\$0.00
---------------------------	--------

Subtract outstanding checks:

Check Number	Amount
See list	-

Adjusted bank balance	7/31/2017	\$2,788,606.74
-----------------------	-----------	----------------

Balance per Property G/L	\$2,788,606.74
<u>Adjustments</u>	

Adjusted Ending Balance per G/L	7/31/2017	\$2,788,606.74
---------------------------------	-----------	----------------

Difference (Research any differences)	\$ -
---------------------------------------	------

Prepared by:	D. Leith
Date:	8/1/2017



120 South LaSalle Street, Chicago, IL 60603
ADDRESS SERVICE REQUESTED



Last Statement: June 30, 2017
Statement Ending: July 31, 2017
Total Days in Statement Period: 31

Page 1 of 5

MCKINLEY INC.
RECEIVER FOR PACKARD SQUARE LLC
OPERATING ACCOUNT
320 N MAIN STREET STE 200
ANN ARBOR MI 48104-1127

Customer Service Information

For Personal Assistance, Call:
248-566-4793
STEVE ANDERSON

Visit Us Online:
www.theprivatebank.com

Written Inquiries:
The PrivateBank
34901 Woodward Avenue, Suite 200
Birmingham, MI 48009

BUSINESS CHECKING

Account Number: 0002417847

Balance Summary

Beginning Balance as of 06/30/17	\$	1,224,921.99
+ Deposits and Credits (2)		2,703,921.21
- Withdrawals and Debits (18)		1,140,236.46
Ending Balance as of 07/31/17	\$	2,788,606.74
Average Balance	\$	380,426.40
Low Balance	\$	123,293.52
Enclosures		16

Checks Posted

* Skip in check sequence

Number	Date	Amount	Number	Date	Amount
10051	07/07	91,231.90	10080	07/06	19,112.32
10073*	07/05	571,242.31	10081	07/10	41,091.63
10074	07/17	4,334.28	10082	07/13	66,855.00
10075	07/10	764.10	10083	07/06	3,011.00
10076	07/10	350.00	10084	07/10	4,553.00
10077	07/11	21,426.20	10085	07/11	14,020.00
10078	07/12	7,086.73	10086	07/10	250.00
10079	07/06	6,300.00	10087	07/18	5,401.94
		Item Count 16	Subtotal		\$857,030.41

Debits

Date	Description	Subtractions
07/03	Term-outgoing Wt/Dom BNF LIBERTY TITLE AGENCY OBI CUSTOMER NAME: HARBOR DEV ELOPMENT, LLC PSD FILE NO. M110325	250,000.00
07/13	Term-outgoing Wt/Dom BNF LIBERTY TITLE AGENCY OBI CUSTOMER NAME: HARBOR DEV ELOPMENT, LLC PSD FILE NO. M110325	33,206.05

Thank you for banking with The PrivateBank

00029871 00153817 0001 0005 WCFR000992080111 07



Statement Ending: MCKINLEY INC.
July 31, 2017
Page 2 of 5

BUSINESS CHECKING (continued)**Account Number:** 0002417847**Credits**

Date	Description	Additions
07/11	Incoming Wire-dom ORG CAN IV PACKARDSQUARE LLC OBI RECEIVER FOR DRAW #0 9	38,607.99
07/31	Incoming Wire-dom ORG CAN IV PACKARDSQUARE LLC OBI DRAW #9 - PACKARD	2,665,313.22

Daily Balances

Date	Amount	Date	Amount	Date	Amount
06/30	1,224,921.99	07/07	284,024.46	07/13	133,029.74
07/03	974,921.99	07/10	237,015.73	07/17	128,695.46
07/05	403,679.68	07/11	240,177.52	07/18	123,293.52
07/06	375,256.36	07/12	233,090.79	07/31	2,788,606.74

Overdraft/Return Item Summary

Description	Total for this Period	Total Year to Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Items	\$0.00	\$0.00

McKinley Inc.
Receiver for Packard Square LLC
120 N Main Street Ste 200
Ann Arbor MI 48104

The Payee Is:

Date 4/26/2017 Check No. 010051 \$61,231.90

Ninety One Thousand Two Hundred Thirty One And 90/100 Dollars

Evergreen Olive LLC
143 Cadycenra #383
Northville, MI 48157

[Signature]

Valid After 30 Days

⑆0 00051⑆ ⑆07 6006465⑆ 24 678479⑆

Check # 10051, Posted 07/07/17, Amount 91,231.90

20170706009401860188

Check # 10051, Posted 07/07/17, Amount 91,231.90

McIntyre Inc.
Receiver for Packard Square LLC
320 N. Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 6/29/2017 Check No 019073

\$571,242.31

Five Hundred Seventy One Thousand Two Hundred Forty Two AND 31/100 Dollars

O'Brien Construction Co., Inc.
856 Livemore
Troy, MI 48063

L. J. [Signature]
[Signature]

Print Name and Title

⑈ 600 73⑈ ⑈ 07 ⑈ 0065486⑈ 2417847⑈

Check # 10073, Posted 07/05/17, Amount 571,242.31

<p>14-00000</p> <p>OSBORN LUTHERAN CH. #2288888</p> <p>SA Zeph. 8/15</p> <p>RECEIVED THE THE PRIVATE BANK RECEIVED THE</p>	<p>14-00000</p> <p>OSBORN LUTHERAN CH. #2288888</p> <p>SA Zeph. 8/15</p> <p>RECEIVED THE THE PRIVATE BANK RECEIVED THE</p>
--	--

Check # 10073, Posted 07/05/17, Amount 571,242.31

McKinlay Inc.
Reseller for Passard Square LLC
325 N Main Street Ste 200
Ann Arbor MI 48104

JK SAP
in:ck Mark

The Private Bank

DATE 4/28/2012 Relocation

Date 5/20/2017 Check No. 0100074

Four Thousand Three Hundred Fifty AND 28/100 Dollars \$3,334.28

DTE Energy Company
8001 Haggerty Road
Belleville, MI 48111

1-800-447-2222

010074 00710064861 2478478

Check # 10074, Posted 07/17/17, Amount 4,334.28

[illegible]

Check # 10074, Posted 07/17/17, Amount 4,334.28

McKinley Inc.
Receiver for Paskind Square LLC
300 N Main Street Ste 209
Ann Arbor MI 48104

The Finance Date _____

Date 7/5/2017 Check No. 010073 \$764.10

Seven Hundred Sixty Four And 10/100 Dollars

RentPath Holdings, Inc.
Apartment Office
P.O. Box 402038
Atlanta, GA 30384-2039

[Signature]

VOID WHEN PAID

#010073# #07100674861# 241784.7*

Check # 10075, Posted 07/10/17, Amount 764.10

[illegible]

Check # 10075, Posted 07/10/17, Amount 764.10

McKinsey Inc.
Receiver for Paoliard Square LLC
325 N Main Street Ste 206
Ann Arbor MI 48104

The Payable Date

Date 7/5/2017

Check No. 015078

\$350.00

Three Hundred Fifty AND 00/100 Dollars

First American Title Company
PO Box 31001-2278
Pasadena, CA 91101-2278

100-400781 0071005465 347847*

Check # 10076, Posted 07/10/17, Amount 350.00

[illegible]

Check # 10076, Posted 07/10/17, Amount 350.00

McIntly Inc.¹
Hawelver for Packard Square LLC
332 W Main Street Ste 200
Ann Arbor MI 48104

The Whole Bank

Date 7/6/2017 Check No. 010077

\$21,426.20

Twenty One Thousand Four Hundred Twenty Six AND 20/100 Dollars

Geller & Gornes PC
2 Executive Blvd Ste 308
Suffern, NY 10981

1-8-2017

⑈010077⑈ ⑆07100286⑆ 2417847⑈

Check # 10077, Posted 07/11/17, Amount 21,426.20

[illegible]

Check # 10077, Posted 07/11/17, Amount 21,426.20



Statement Ending:

MCKINLEY INC.

July 31, 2017

Page 4 of 5

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010078 \$7,086.73

Seven Thousand Eighty Six AND 73/100 Dollars

John Tagle Associates, Inc.
5488 Corporate Drive Ste 308
Troy, MI 48068

VOID VOID VOID

15078

Check # 10078, Posted 07/12/17, Amount 7,086.73

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010078 \$7,086.73

Seven Thousand Eighty Six AND 73/100 Dollars

John Tagle Associates, Inc.
5488 Corporate Drive Ste 308
Troy, MI 48068

VOID VOID VOID

15078

Check # 10078, Posted 07/12/17, Amount 7,086.73

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010079 \$6,300.00

Six Thousand Three Hundred AND 00/100 Dollars

McKinley Companies, LLC
320 N Main Street
Ann Arbor, MI 48104

VOID VOID VOID

15079

Check # 10079, Posted 07/06/17, Amount 6,300.00

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010079 \$6,300.00

Six Thousand Three Hundred AND 00/100 Dollars

McKinley Companies, LLC
320 N Main Street
Ann Arbor, MI 48104

VOID VOID VOID

15079

Check # 10079, Posted 07/06/17, Amount 6,300.00

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010080 \$19,112.32

Nineteen Thousand One Hundred Twelve AND 32/100 Dollars

McKinley Inc.
ID #MCKINC

VOID VOID VOID

15080

Check # 10080, Posted 07/06/17, Amount 19,112.32

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010080 \$19,112.32

Nineteen Thousand One Hundred Twelve AND 32/100 Dollars

McKinley Inc.
ID #MCKINC

VOID VOID VOID

15080

Check # 10080, Posted 07/06/17, Amount 19,112.32

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/6/2017 Check No. 010081 \$41,091.63

Forty One Thousand Ninety One AND 63/100 Dollars

Poundational Security Inc.
30800 Eureka Road
Ste. 300
TAYLOR, MI 48180

VOID VOID VOID

15081

Check # 10081, Posted 07/10/17, Amount 41,091.63

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/6/2017 Check No. 010081 \$41,091.63

Forty One Thousand Ninety One AND 63/100 Dollars

Poundational Security Inc.
30800 Eureka Road
Ste. 300
TAYLOR, MI 48180

VOID VOID VOID

15081

Check # 10081, Posted 07/10/17, Amount 41,091.63

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010082 \$66,855.00

Sixty Six Thousand Eight Hundred Fifty Five AND 00/100 Dollars

RAM Constr. Services of MI, Inc.
RAM Constr. Services of MI, Inc.
13000 Eddie Road
Livonia, MI 48150

VOID VOID VOID

15082

Check # 10082, Posted 07/13/17, Amount 66,855.00

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010082 \$66,855.00

Sixty Six Thousand Eight Hundred Fifty Five AND 00/100 Dollars

RAM Constr. Services of MI, Inc.
RAM Constr. Services of MI, Inc.
13000 Eddie Road
Livonia, MI 48150

VOID VOID VOID

15082

Check # 10082, Posted 07/13/17, Amount 66,855.00

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010083 \$3,011.00

Three Thousand Eleven AND 00/100 Dollars

Bank & Risk, PLLC
200 NORTH MAIN ST., SUITE 300
Ann Arbor, MI 48104

VOID VOID VOID

15075

Check # 10083, Posted 07/06/17, Amount 3,011.00

McKinley Inc.
Receiver for Packard Square LLC
320 N Main Street Ste 200
Ann Arbor MI 48104

The Private Bank

Date 7/5/2017 Check No. 010083 \$3,011.00

Three Thousand Eleven AND 00/100 Dollars

Bank & Risk, PLLC
200 NORTH MAIN ST., SUITE 300
Ann Arbor, MI 48104

VOID VOID VOID

15075

Check # 10083, Posted 07/06/17, Amount 3,011.00



Statement Ending:

MCKINLEY INC.
July 31, 2017
Page 5 of 5

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010084 \$4,553.00

Four Thousand Five Hundred Fifty Three AND 00/100 Dollars

Marsh USA, Inc.
P.O. Box 846018
Dallas, TX 75384-6018

1-8-112200

⑆010084⑆ ⑆071006486⑆ 2417847⑆

Check # 10084, Posted 07/10/17, Amount 4,553.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010084 \$4,553.00

Four Thousand Five Hundred Fifty Three AND 00/100 Dollars

Marsh USA, Inc.
P.O. Box 846018
Dallas, TX 75384-6018

1-8-112200

⑆010084⑆ ⑆071006486⑆ 2417847⑆

Check # 10084, Posted 07/10/17, Amount 4,553.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010085 \$14,020.00

Fourteen Thousand Twenty AND 00/100 Dollars

Warner Norcross & Judd LLP
800 Fifth Third Center
111 Lyon Street, N.W.
GRAND RAPIDS, MI 49503-2407

1-8-112200

⑆010085⑆ ⑆071006486⑆ 2417847⑆

Check # 10085, Posted 07/11/17, Amount 14,020.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010085 \$14,020.00

Fourteen Thousand Twenty AND 00/100 Dollars

Warner Norcross & Judd LLP
800 Fifth Third Center
111 Lyon Street, N.W.
GRAND RAPIDS, MI 49503-2407

1-8-112200

⑆010085⑆ ⑆071006486⑆ 2417847⑆

Check # 10085, Posted 07/11/17, Amount 14,020.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010086 \$250.00

Two Hundred Fifty AND 00/100 Dollars

Zillow, Inc.
Zillow Rental Network
Dept. 3287, PO BOX 123287
Dallas, TX 75312-3287

1-8-112200

⑆010086⑆ ⑆071006486⑆ 2417847⑆

Check # 10086, Posted 07/10/17, Amount 250.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/5/2017 Check No. 010086 \$250.00

Two Hundred Fifty AND 00/100 Dollars

Zillow, Inc.
Zillow Rental Network
Dept. 3287, PO BOX 123287
Dallas, TX 75312-3287

1-8-112200

⑆010086⑆ ⑆071006486⑆ 2417847⑆

Check # 10086, Posted 07/10/17, Amount 250.00

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/13/2017 Check No. 010087 \$5,401.04

Five Thousand Four Hundred One AND 04/100 Dollars

Evergreen Civil LLC
143 Cayceville #203
Northville, MI 48167

1-8-112200

⑆010087⑆ ⑆071006486⑆ 2417847⑆

Check # 10087, Posted 07/18/17, Amount 5,401.94

McKinley Inc.
Receiver for Packard Square LLC
330 N Main Street Ste 200
Ann Arbor MI 48104

Date 7/13/2017 Check No. 010087 \$5,401.04

Five Thousand Four Hundred One AND 04/100 Dollars

Evergreen Civil LLC
143 Cayceville #203
Northville, MI 48167

1-8-112200

⑆010087⑆ ⑆071006486⑆ 2417847⑆

Check # 10087, Posted 07/18/17, Amount 5,401.94

Database: MCKINLEY
Report Id: MRI_OUTLST

Outstanding Check List for Banks
McKinley Associates
Outstanding Checks as of 7/31/2017
Bank Account 920op The Private Bank

Page: 1
Date: 8/2/2017
Time: 09:50 AM

Check #	Check Date	Check Period	Vendor Number	Vendor Name	Amount
---------	---------------	-----------------	------------------	-------------	--------

Outstanding Check Total: 0.00

Exhibit D

Packard Square – List of Issues and Defects Encountered to Date

1. There were OSHA safety issues throughout the property upon takeover (11/1/2016). – [Update] Installed guard rails throughout the property. Installed fire extinguishers throughout the property.
2. There was a lack of waterproofing throughout the property. – [Update] Added coping where it was missing in large portions of the building.
3. The entire site was a mess; a massive cleanup of debris was required using multiple 40 yard roll off dumpsters. – [Update] Crews went through the site and picked up debris. Overall, eight, thirty cubic yard roll off dumpsters of rubbish were removed.
4. No expansion joints were installed in the siding. The siding manufacturer explicitly said that expansion joints are necessary for this project. In addition, the building is not yet even loaded with the additional materials for the next phases of construction, which will cause building settling. – [Update] Construction Ahead is back on site making necessary repairs.
5. There were multiple improper sequencing and delivery issues throughout the project. [Update] The materials that were delivered prematurely were organized and store in better conditions. All sensitive materials are now being stored in the garage.
6. The site was not positioned to be able to do work during the winter. – [Update] The site was winterized, including installing the drive lane.
7. There was no concrete slab in the lower level parking garage. – [Update] The concrete slab was poured.
8. Window limiters were not installed. These are required to meet code. – [Update] The window limiters have been identified and will be installed in proper sequence.
9. Many building materials were delivered and/or ordered out of sequence (screens, doors, cabinets, countertops, sinks, etc.), causing additional storage and labor costs. – [Update] This continues to be true. On site materials have been organized so they may be used in the most productive manner.
10. Unorganized finished materials were strewn throughout the site. [Update] To the extent possible, on site materials have been more properly staged so they may be used in the most productive manner.
11. The courtyard was prematurely built in/enclosed out of sequence before all major work was completed. As a result, larger machines are not able to access the courtyard in order to complete major necessary work. Additional shoring was required in order to bring in smaller machinery. [Update] Shoring was installed which allowed small machinery to access the courtyard. The shoring will remain in place until all major construction is completed within the courtyard.

12. Drainage was not installed in the courtyard, further exasperating the difficulty of working in the confined area. -[Update] Drainage was installed in the courtyard.
13. Roof coping was not installed throughout the property, resulting in water penetration. [Update] Roof coping was installed to the extent possible throughout the site. The balance of the parapet has been weatherized.
14. There was improper flashing behind the wall system, at the wall and roof intersection, allowing for water penetration. [Update] Fiber cement siding was removed at these locations in order to install proper flashing at wall and roof intersections.
15. The footings were initially poured at an insufficient depth. This resulted in the building shifting and the need for helical pier installation. It was noted that one of the helical piers was not installed. The building's prior shifting has necessitated the ongoing monitoring of the building and additional testing. - [Update] Structural monitoring was completed and the missing helical pier was installed.
16. The wrong mastic was used in an attempt to fix the sloping flooring above the retail wings. By 11/1/2016, this material was already crumbling. [Update] This repair will be made in proper sequence when the lightweight concrete topping slab is poured.
17. The area where the vapor barrier system was installed was left exposed to the elements. [Update] The vapor barrier system was repaired under the supervision of AKT Peerless, including the installation of the concrete subgrade (compacted and tested by 3rd party engineers) and the concrete slab was installed, also under the supervision of AKT Peerless.
18. There were a few areas where the existing fencing was compromised so more substantial fencing was ordered to properly secure the site. The entire site was not secure. [Update] Fencing remains secure throughout the site.
19. No temporary doors were installed for winter. [Update] Temporary doors were installed throughout the site.
20. Fire dampers were not installed nor included in the building plans. [Update] Fire dampers were ordered and the installation is in progress.
21. There are large shafts in each unit that still need to be fire rated. However, many of these shafts have been dry walled around out of sequence, thus preventing access in order to complete necessary fire rating. [Update] The disassembly that is required is currently in progress by the carpenters as well as the completion of the drywall as scheduled. This work is being completed under close municipal supervision.
22. Cabinets and countertops were fabricated without first measuring the actual framing in each unit. There are concerns about the cabinets fitting properly. [Update] Walls were re-framed/relocated, re-installed as required to accommodate cabinet and counter per drawings. Counters are onsite.
23. The plumbing for toilets were located with vent stacks directly under trusses. The truss systems are therefore interrupting the vertical flow of plumbing stacks.

[Update] Modifications are underway. Any truss modifications are being reviewed and approved by a professional engineer.

24. There is missing truss bracing and tie downs. Additional work was completed out of sequence so now there isn't easy access to add them which now requires additional work after the fact. [Update] All of the trusses have been braced and framing hardware installed in the North wing. The remaining areas will be addressed due time.
25. There are materials on site that do not match the site drawings and specifications, such as the shower pans. [Update] In order to be as efficient as possible, we are working with the materials on site which will be installed to manufacturer's specifications under the supervision of a professional architect.
26. There was a general lack of municipal inspections which necessitated starting over from the beginning with the city inspection process. [Update] We've met with the city multiple times and restarted the inspection process.
27. On the first day as Receiver, McKinley met with one of the building inspectors who said it had been months since he had been on site. [Update] We've met with the city multiple times and restarted the inspection process.
28. Fire services were installed but not inspected by the city. [Update] We've discussed the fire services with the city.
29. Domestic water and fire service lines were routed into areas that were not conditioned. [Update] We are working with both the city and a professional architect on the design of the water and fire services line entrance.
30. Modifications were necessary to the sanitary system in order to maintain ceiling height. [Update] The sanitary system in the garage area has been installed to achieve the highest ceiling height possible.
31. Improper gaskets were installed in the water service lines and need to be replaced. [Update] We've discussed the solution with the city and this modification will be made in due course.
32. No accommodations were considered for ventilation for future restaurant/commercial uses in the retail wings. [Update] We are working with a professional architect and engineer on a solution.
33. No elevator sump crocks or sump pumps were installed in the elevator pits. Further, these were removed from the site plans. [Update] Elevator sump crocks were installed and sump pumps will be installed at appropriate time.
34. The swimming pool does not have the necessary tank that dilutes the chlorine before it goes into the main sewer lines as part of the draining process. [Update] We've made accommodations for the addition of the necessary equipment.
35. There are vertical cracks in the concrete walls in the lower level parking garage with water infiltration via the courtyard. [Update] We had the cracks inspected by an engineer. In addition, courtyard drainage was installed which alleviated the issue.

36. The roof was hastily and poorly installed with debris such as nails left underneath the membrane. [Update] The roof contractor is back on site making necessary repairs and maintain the manufacturer's warranty.
37. The majority of the plumbing in the lower level parking garage was crushed and needed to be replaced. [Update] All of the plumbing repairs were completed.
38. There are electrical feeders that cross through rated fire assemblies throughout the building. [Update] We are working with a professional architect and the city on the correction.
39. The RC channel was installed upside down throughout the building. [Update] We are working with the city on the issue.
40. Additional fire suppression is required in the stairwells and was red tagged by the inspector. [Update] The fire suppression subcontractor is back on site making all necessary repairs.
41. The building envelope is not complete. For instance, the paneling in the inner courtyard and balconies are not complete. [Update] The respective trades are back on site working to complete the building envelope.
42. There are numerous electrical issues throughout the building. An example of the issues encountered in one room are further listed in Exhibit E.
43. Foundation stem wall was mis-located and resulted in a 1.5" brick deviation, resulting in no brick ledge. [Update] A masonry material is planned for installation to correct the deficiently.
44. Garage door openings were framed three feet too narrow. [Update] Garage masonry openings are being enlarged to comply with revisions to plan.
45. The framing on the inner courtyard balconies is misaligned. It is believed to be an aesthetic issue and is being investigated further.
46. There is a framing issue in the front motorcade designed overhang causing misalignment of two symmetrical elements (the designed overhang and the columns) on the exterior of the front retail wings. [Update] The existing framing was modified to address the aesthetic challenge.
47. Multiple conflicts exist on the design of the HVAC servicing the corridors. Specifically, on the third and fourth floor corridors inadequate accommodations were made for both the sizing and coordination of the HVAC equipment and ductwork. [Update] The plan is to add an additional HVAC unit at the end of each hallway which will eliminate the equipment sizing issue and the coordination of the installation of the ductwork.
48. There are conflicts with the ductwork routing, as designed, and the existing door opening sizes and a lack of required soffits shown on the plans for accommodation of HVAC in the first floor common areas. The structural and architectural drawings conflict with the HVAC mechanical drawings.

*We continue to discover new issues each week so this list is not exhaustive.

Exhibit E

Packard Square – Electrical Issues Encountered in Room 111

1. Microwave outlet is located in the wrong position.
2. Buried under cabinet wires are in the wrong location.
3. Over counter outlet is located behind the stove.
4. No island outlet - over 6" to the counter.
5. Pinched wire above panel.
6. Kitchen outlet needs Fire Rated box.
7. There is no hot water heater disconnect.
8. There is no 3 way switch for living room.
9. Two wires in under cabinet light. – Cannot be landed in specified under cabinet light fixture.
10. Vanity light not centered.
11. Vanity outlet not located above vanity.
12. The bath fan in the shower has no GFI protection.
13. Closet light is too close to the shelf.
14. There is no outlet in the hall.
15. The bedroom switch - over the box fill.
16. A bedroom outlet is over 6'.
17. A bedroom outlet is over 12'.
18. There are wires directly on truss gusset in the bathroom.
19. Nail plates missing in many locations.
20. Living room ½ Switch - over box fill.
21. Living room outlet over 12'.
22. There are 100+ staple violations which will not pass code.
23. Bedroom outlet over 6'.
24. Bath fan in shower – no GFI protection.
25. Vanity outlet in mirror.
26. Vanity light not centered.
27. Bath switches - neutral too short.
28. Bath switches - no hot pigtail.
29. Bath light not centered.
30. Entry Switch box needed - fiber box.

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WASHTENAW

CAN IV PACKARD SQUARE, LLC,
a Delaware limited liability company,

Plaintiff,

v

PACKARD SQUARE, LLC,
A Michigan limited liability company,

Defendant,

and

ALLIED BUILDING PRODUCTS CORP.,
an Ohio corporation, AMTHOR STEEL,
a Pennsylvania corporation, ASSEMBLERS
PRECAST & STEEL SERVICES, INC.,
a Michigan corporation, THE BELDEN
BRICK SALES CO., a Michigan corporation,
CITY ELECTRIC SUPPLY COMPANY, a
Massachusetts corporation, CONSTRUCTION
AHEAD, INC., an Illinois corporation, D & V
EXCAVATING, a Michigan corporation, E.L. PAINTING CO.,
a Michigan corporation, E.L.S. CONSTRUCTION, INC.,
a Michigan corporation, EVERGREEN CIVIL, LLC,
a Michigan corporation, GAYLOR ELECTRIC INC.,
a foreign corporation, HARNISH FIREPROOFING, LLC,
a Michigan corporation, JACKIE'S TRANSPORT, INC.,
a Michigan corporation, JERMOR PLUMBING &
HEATING, INC., a Michigan corporation,
JSC CONSTRUCTION, INC., a Michigan corporation,
MASONRY DEVELOPERS, INC., a Michigan corporation,
MICHIGAN WOODWORK, LLC, a Michigan corporation,
QUANDEL CONSTRUCTION GROUP, INC., a
Pennsylvania corporation, R.A.M. CONSTRUCTION
SERVICES OF MICHIGAN, INC., a Michigan
Corporation, SHARON'S HEATING & AIR
CONDITIONING, INC., a Michigan corporation,
STETSON BUILDING PRODUCTS, an Iowa
Corporation, SUMMIT BUILDING SERVICES, LLC,
A Michigan corporation, WELLING INC., an Ohio corporation,
ZEELAND LUMBER AND SUPPLY CO., a Michigan

Case No. 16-990-CB
Hon. Archie C. Brown

PROOF OF SERVICE

corporation and John Does 1-100,

Additional Lien Claimant Defendants,

And any and all Counter-, Cross-, and Third-Party Claims.

J. Benjamin Dolan (P47839)
James B. Cunningham (P63131)
Ariana F. Pellegrino (P79104)
Dickinson Wright, PLLC
Attorneys for Plaintiff
2600 W. Big Beaver Road, Suite 300
Troy, MI 48084
(248) 433-7200
bdolan@dickinsonwright.com
jcunningham@dickinsonwright.com
apellegrino@dickinsonwright.com

James A. Fink (P40386)
Joshua R. Fink (P66210)
Fink & Fink, PLLC
Attorneys for Receiver
320 North Main Street, Suite 300
Ann Arbor, MI 48104
(734) 994-1077
james.fink@finkandfink.com
joshua.fink@finkandfink.com

Ralph Colasuonno (P55019)
Warner Norcross & Judd, LLP
Co-Counsel for Receiver
45000 River Ridge Drive, Suite 300
Clinton Township, MI 48038
(248) 784-5033
rcolasuonno@wnj.com

Angela L. Jackson (P53930)
Bruce T. Wallace (P24148)
Adam M. Linkner (P78784)
Oscar A. Rodriguez (P73413)
Hooper Hathaway, PC
Attorneys for Defendant
126 South Main Street
Ann Arbor, MI 48104
ajackson@hooperhathaway.com
bwallace@hooperhathaway.com
alinkner@hooperhathaway.com
orod@hooperhathaway.com

John M. Sier (P39336)
Yasir Muhammad (P79976)
Kitch Drutchas Wagner
Valitutti & Sherbrook
Attorneys for Defendant
One Woodward Ave., Suite 2400
Detroit, MI 48226
(313) 965-2915
john.sier@kitch.com
yasir.muhammad@kitch.com

Ronald A. Deneweth (P27680)
Matthew C. Herstein (P68596)
Deneweth, Dugan & Parfitt, PC
Attorneys for Defendants Jermor
Plumbing & Heating, Inc. and
Harnish Fireproofing, LLC
1175 W. Long Lake Road, Suite 202
Troy, MI 48098-4437
(248) 290-0400
rdeneweth@ddp-law.com
mherstein@ddp-law.com

Marty A. Burnstein (P11443)
Law Office of Marty A. Burnstein
Attorney for Defendants ELS Construction,
Evergreen Civil, LLC and Jackie's
Transport, Inc.
1175 W. Long Lake Road, Suite 202
Troy, MI 48098
(248) 290-0400
mburnstein@martyburnsteinlaw.com

Roy C. Sgroi (P28168)
Sgroi Law Firm, PLC
Attorneys for Defendant Welling, Inc.
12845 Farmington Road, Suite 1
Livonia, MI 48150
(734) 421-9200
rcs@sgroilaw.com

Jeffrey G. Muth (P65041)
Christopher E. Nyenhuis (P80028)
Miller Johnson
Attorneys for Defendant Zeeland Lumber
and Supply Co.
45 Ottawa Avenue SW, Suite 1100
Grand Rapids, MI 49503
(616) 831-1700
muthjg@millerjohnson.com
nyenhuis@cmillerjohnson.com

Gerald J. Richter (P38822)
Facca, Richter & Pregler, PC
Attorneys for Stetson Building Products, Inc.
6050 Livernois
Troy, MI 48098
(248) 813-9900
grichter@frplaw.com

R. Edward Boucher (P57251)
Kotz, Sangster, Wysocki, PC
Attorneys for R.A.M. Construction
Services of Michigan, Inc.
400 Renaissance Center, Suite 3400
Detroit, MI 48243
(313) 259-8300

James R. Case (P31583)
Michael D. Carroll (P53815)
Kerr, Russell & Weber, PLC
Attorneys for Defendant
Gaylor Electric, Inc.
500 Woodward Ave., Suite 2500
Detroit, MI 48226
(313) 961-0200
jcase@kerr-russell.com
mcarroll@kerr-russell.com

Eric J. Flessland (P35668)
Butzel Long
Attorneys for Defendant
Amthor Steel
150 W. Jefferson, Suite 100
Detroit, MI 48226
(313) 225-7000
flessland@butzel.com

Bruce N. Elliott (P28770)
Conlin, McKenney & Philbrick, PC
Co-Counsel for Defendant Quandel
Construction Group, Inc.
350 S. Main Street, Suite 400
Ann Arbor, MI 48104
(734) 761-9000
elliott@cmplaw.com

Evan M. Chall (P72058)
Wright Beamer, PC
Attorneys for Sharon's Heating &
Air Conditioning, Inc.
31500 Northwestern Hwy., Suite 140
Farmington Hills, MI 48334-2568
(248) 893-1407
echall@wrightbeamer.com

James L. Dyer (P32544)
Johnson, Rosati, Schultz
& Joppich, PC
Attorney for Defendant Summit
Building Services, LLC
822 Centennial Way, Suite 270
Lansing, MI 48917
(517) 886-3800 jdyer@jrsjlaw.com

Andrew J. Natale (Ohio 0042110)
Thomas E. Cardone (Ohio0090270)
Frantz Ward, LLP
Attorneys for Quandel Construction Group
200 Public Square, Suite 3000
Cleveland, OH 44144
(215) 515-1660
anatale@frantzward.com
tcardone@frantzward.com

John F. Fleming (P43323)
Kallas & Henk, PC
Attorneys for Assemblers Precast & Steel Services, Inc.
43902 Woodward Ave., Suite 200
Bloomfield Hills, MI 48302
(248) 335-5450 ext. 213
jfleming@kallashenk.com

Timothy J. Kramer (P36223)
Abbott Nicholson, PC
Attorneys for Construction Ahead, Inc.
300 River Place, Suite 3000
Detroit, MI 48207-4225
(313) 566-2500
tjkramer@abbottnicholson.com

John R. Badeen (P71014)
Xuereb Law Group, PC
Attorneys for E.L. Painting Co.
7752 N. Canton Center Rd. Suite 110
Canton, MI 48187
(734) 455-2000
jbadeen@xuereblawgroup.com

Aaron W. Goren (P14203)
Gottlieb & Goren, PC
Attorneys for D&V Excavating, Inc.
30150 Telegraph Road, Suite 249
Bingham Farms, MI 48025
(248) 593-0090
agoren@g2law.net


I. Matthew Miller (P51351)
Swistak Levine, PC
Co-Counsel for Defendant
Packard Square, LLC
30833 Northwestern Hwy. #120
Farmington Hills, MI 48334
(248) 851-8000
mmiller@swistaklevine.com

PROOF OF SERVICE

On the date below I served via e-mail, Receiver's Notice of Filing of Receiver's Report
Dated August 25, 2017 and this Proof of Service to all counsel of record.

I declare that the statements above are true to the best of my information, knowledge and belief.

Dated: August 25, 2017


Elizabeth M. Fenner

Prepared by:

Fink & Fink, PLLC
James A. Fink (P40386)
Attorneys for Receiver
320 North Main Street, Suite 300
Ann Arbor, MI 48104
(734) 994-1077