

Receivership Management, Inc.

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

October 21, 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 Twentieth 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 Twentieth Report and Fee Notice for fees and expenses for the period September 1, 2013 – September 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) will transfer plan assets to a successor plan. Walick-Kemp's transfer occurred on October 16th and Bread and Company's will occur on October 21st. We are still working with the successor plan administrator to accept the Millennium Water Alliance's plan assets. All other employers are terminating their plans and participant distributions will occur.

We are currently in the blackout period, which commenced on September 1, 2013 and will end on November 15, 2013. Distribution forms have been mailed with the blackout notice to all participants except for those participants in the three plans whose assets are being transferred to successor retirement plans. Members are in the process of filling out their forms. The RMI office is responding to questions assisting the members with their forms.

At least two participants who are now deceased will have their plan assets distributed to estates or beneficiaries.

Any undistributed accounts held by John Hancock on November 15, 2013 will be transferred to an account RMI will establish and will be processed as missing participants. 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 will be completed by RMI.

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.

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.

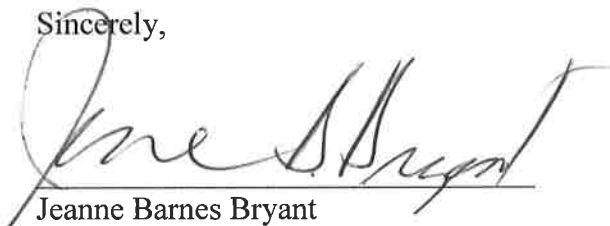
Attached hereto as **Collective Exhibit 2** are expense summaries for the period September 1, 2013 – September 30, 2013. Total expenses, as listed on Exhibit 2 include \$1,305.00 in Successor Trustee fees, \$62.50 in legal expenses, \$2,771.00 in contract labor expenses, and \$1,380.63 in other expenses (which include identified charges for other fees, postage, copies, telephone, travel, etc.).

In the absence of any objection, reimbursement of \$1,305.00 in Successor Trustee fees, \$62.50 in legal expenses, \$2,771.00 in contract labor expenses, and \$1,380.63 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 | \$1,305.00 |
| 2. | Berry & Tudor, PC | \$62.50 |
| 3. | Receivership Management Inc. | \$4,151.63 |
| | \$2,771.00/Contract labor | |
| | \$1,380.63/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 |

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.

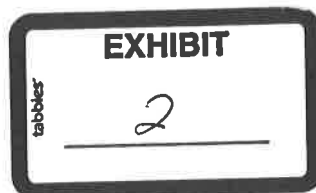
Travel: Per Diem-\$39.00 for meals and incidentals (first and last day of travel 75% of per diem amount allowed). Per Diem paid only if overnight travel is required. Transportation: By private car: 50 cents per mile; By common carrier: Actual ticket cost at coach.
Lodging: Actual amount charged.



SUMMARY TIME SHEET-SUCCESSOR TRUSTEE
SERVICES PROVIDED FOR SOMMET GROUP 401K PLAN
FOR THE PERIOD 9/01/13 THROUGH 9/30/13

Jeanne Barnes Bryant

| | |
|---------------------|---------------------------------|
| SEPTEMBER 2013 FEES | <u>1,305.00</u> |
| TOTAL FEES | <u><u>\$1,305.00</u></u> |



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

Invoice for Professional Services

SOMMET GROUP LLC 401K PLAN

September 2013

| Date | Client | Description | Hours | Rate | Amount |
|-----------|----------------------|---|-------|----------|----------|
| 9/6/2013 | Jeanne Barnes Bryant | REVIEW AND SIGN FORMS FOR HANCOCK, E-MAIL RE QUESTIONS FROM MEMBERS | 0.8 | \$150.00 | \$120.00 |
| 9/10/2013 | Jeanne Barnes Bryant | DISCUSSION WITH BILLY SPAULDING AND ROB MOORE RE CLOSING ISSUES | 0.5 | \$150.00 | \$75.00 |
| 9/12/2013 | Jeanne Barnes Bryant | QUESTION RE AUGUST REPORT | 0.3 | \$150.00 | \$45.00 |
| 9/13/2013 | Jeanne Barnes Bryant | QUESTION FROM SARAH FORTON RE CALLS AND SCHEDULE, QUESTION TO ROB MOORE RE SAME | 0.5 | \$150.00 | \$75.00 |
| 9/16/2013 | Jeanne Barnes Bryant | REVIEW AND SIGN FORMS, QUESTIONS RE CHECKS | 0.5 | \$150.00 | \$75.00 |
| 9/17/2013 | Jeanne Barnes Bryant | QUESTIONS RE LETTER, REVIEW SAME FROM ROB MOORE, REVIEW AND SIGN FORMS | 0.6 | \$150.00 | \$90.00 |
| 9/18/2013 | Jeanne Barnes Bryant | REVIEW AND SIGN FORMS, CALLS FROM MEMBERS RE DISTRIBUTIONS | 0.6 | \$150.00 | \$90.00 |
| 9/19/2013 | Jeanne Barnes Bryant | CALLS RE DISTRIBUTIONS, QUESTION RE NEXT FILING | 0.5 | \$150.00 | \$75.00 |
| 9/20/2013 | Jeanne Barnes Bryant | REPORT FROM ROB MOORE RE PLAN TO PLAN TRANSFERS FOR THREE PLANS, QUESTIONS RE DISTRIBUTIONS, QUESTIONS RE LOAN ISSUES | 0.8 | \$150.00 | \$120.00 |
| 9/23/2013 | Jeanne Barnes Bryant | CALLS RE DISTRIBUTIONS, DRAFT REPORT, E-MAIL TO ROB MOORE RE SAME, REVIEW AND APPROVE FINAL DRAFT | 1 | \$150.00 | \$150.00 |
| 9/24/2013 | Jeanne Barnes Bryant | EMAIL RE REPORT AND WEBSITE POSTING, QUESTION RE DISTRIBUTIONS, EMAIL TO ROB MOORE AND BILLY SPAULDING | 0.5 | \$150.00 | \$75.00 |
| 9/25/2013 | Jeanne Barnes Bryant | CALLS RE DISTRIBUTIONS, QUESTION RE AUGUST REPORT, RESPONSE FROM ROB MOORE AND BILLY SPAULDING RE OCTOBER STATUS RE HANCOCK | 0.7 | \$150.00 | \$105.00 |

Thursday, October 17, 2013

Page 1 of 2

SOMMET GROUP LLC 401K PLAN

September 2013

| | | | | | |
|--------------|----------------------|---|-----|----------|-------------------|
| 9/26/2013 | Jeanne Barnes Bryant | QUESTION RE ACCOUNT AND STATUS | 0.4 | \$150.00 | \$60.00 |
| 9/27/2013 | Jeanne Barnes Bryant | CALLS RE DISTRIBUTION, QUESTION TO ROB MOORE RE 5500 AND OTHER ISSUES | 0.5 | \$150.00 | \$75.00 |
| 9/30/2013 | Jeanne Barnes Bryant | E-MAILS RE REPORTS, QUESTIONS RE SAME | 0.5 | \$150.00 | \$75.00 |
| Total | | | | | \$1,305.00 |

SUMMARY TIME SHEET-LEGAL
SERVICES PROVIDED FOR SOMMET GROUP 401K PLAN
FOR THE PERIOD 9/01/13 THROUGH 9/30/13

Berry & Tudor PC

SEPTEMBER 2013 FEES INV 18799 62.50

TOTAL FEES \$62.50

BERRY & TUDOR, P.C.

A Professional Corporation

5123 Virginia Way
Suite B-23
Brentwood, Tennessee 37027-7598

Telephone: (615) 726-1000

Fax: (615) 370-0077

FEIN: 62-1525112

Ms. Jeanne Barnes Bryant
c/o Receivership Management, Inc.
783 Old Hickory Blvd., Suite 255
Brentwood, TN 37027

October 1, 2013

Client #: 814

RE: Sommet Group

Invoice #: 18799

| DATE | DESCRIPTION | HOURS | AMOUNT |
|--------------------|---|-------|-----------|
| Sep-13-13 | Telephone conference with R. Moore re: copies of executed client adoption agreements; emails from and to R. Moore re: Transamerica's inquiries on VCP compliance statement. | 0.25 | 62.50 BET |
| TOTAL FEES: | | 0.25 | \$62.50 |

DISBURSEMENTS

TOTAL DISBURSEMENTS: \$0.00

TOTAL FEES & DISBURSEMENTS: \$62.50

Previous Balance \$2,312.50

Previous Payments \$0.00

*Posted
By
10-8-13*

PLEASE PAY: \$2,375.00

**PAYMENT DUE WITHIN 30 DAYS OF STATEMENT. THANK YOU.
PLEASE MAKE CHECKS PAYABLE TO BERRY & TUDOR, P.C.**

cc: Rob Moore via email

RECEIVED
OCT 03 2013

SUMMARY TIME SHEET-CONTRACT LABOR
SERVICES PROVIDED FOR SOMMET GROUP 401K PLAN
FOR THE PERIOD 9/01/13 THROUGH 9/30/13

Receivership Management, Inc.

| | |
|--------------------|---------------------------------|
| SEPTMBER 2013 FEES | 2,771.00 |
| RMI EXPENSES | <u>1,380.63</u> |
| TOTAL FEES | <u><u>\$4,151.63</u></u> |

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

Invoice for Professional Services

SOMMET GROUP LLC 401K PLAN

September 2013

| Date | Name | Description | Hours | Rate | Amount |
|-----------|----------------------|---|-------|----------|----------|
| 9/3/2013 | Robert E. Moore, Jr. | CALL WITH P.KLEIBER RE: TIMING OF DISTRIBUTIONS .3; PARTICIPANT CALLS ON DISTRIBUTION PROCESSING .25 | 0.55 | \$130.00 | \$71.50 |
| 9/3/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 0.5 | \$45.00 | \$22.50 |
| 9/4/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 0.5 | \$45.00 | \$22.50 |
| 9/5/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 0.5 | \$45.00 | \$22.50 |
| 9/6/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 1 | \$45.00 | \$45.00 |
| 9/9/2013 | Robert E. Moore, Jr. | RESPOND TO J.BRYANT RE: QUESTIONS FROM P.KLEIBER .2 | 0.2 | \$130.00 | \$26.00 |
| 9/9/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 1 | \$45.00 | \$45.00 |
| 9/11/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 2.5 | \$45.00 | \$112.50 |
| 9/12/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED, RE-MAIL DISTRIBUTION FORMS RE: RETURN MAIL | 2.5 | \$45.00 | \$112.50 |
| 9/13/2013 | Robert E. Moore, Jr. | REVIEW BREAD AND COMPANY FILE, PREPARE EMAIL RESPONSE TO CENTURY II, REQUEST ADOPTION AGREEMENT SIGNATURE, FORWARD TUDOR RESPONSE TO A.CRAWFORD ON WALICK KEMP 2.0 | 2 | \$130.00 | \$260.00 |
| 9/13/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 1 | \$45.00 | \$45.00 |

Thursday, October 17, 2013

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

| 9/16/2013 | Robert E. Moore, Jr. | REVIEW INFORMATION RE: BREAD AND COMPANY, WALICK KEMP AND MILLENNIUM WATER ALLIANCE, CALL WITH J. WOLFE RE: MILLENNIUM PLAN TO PLAN TRANSFER, REVIEW WITH S.FORTON NON EMPLOYEE PARTICIPANTS IN PLAN TO PLAN TRANSFERS, CALL WITH L. TARRANT RE: SAME 2.3 | 2.3 | \$130.00 | \$299.00 |
|-----------|----------------------|--|-----|----------|----------|
| 9/16/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED, DISCUSSION WITH ROB MOORE RE: PLAN TO PLAN TRANSFERS, WITHDRAWAL FORMS RECEIVED RE: SAME | 1.5 | \$45.00 | \$67.50 |
| 9/17/2013 | Robert E. Moore, Jr. | ORGANIZE FORMS, REVIEW INFORMATION WITH S.FORTON, DRAFT TRANSMITTAL LETTER AND FAX INFORMATION ON NON EMPLOYEE PARTICIPANTS IN BREAD AND CO, MILLENNIUM, AND WALICK KEMP, REVIEW EMAIL FROM J. WOLFE RE: MILLENNIUM, REVIEW EMAIL FROM Y. INFANTE RE: BREAD AND | 2 | \$130.00 | \$260.00 |
| 9/17/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED, FAX TO JOHN HANCOCK RE: PARTICIPANT WITHDRAWAL FORMS | 1 | \$45.00 | \$45.00 |
| 9/18/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED, WORK ON FEE FILING | 1.5 | \$45.00 | \$67.50 |
| 9/20/2013 | Robert E. Moore, Jr. | RECEIVE FROM E.LEMEH EXECUTED ADOPTION AGREEMENT FOR BREAD AND COMPANY, FORWARD TO MS. INFANTE; ASSEMBLE DOCUMENTS FOR PINNACLE AND J. WOLFE FOR DUE DILIGENCE RE: MILLENNIUM WATER PLAN TO PLAN TRANSFER, MEETING WITH J.BRYANT RE: STATUS OF PLAN TERMINATION, | 1.8 | \$130.00 | \$234.00 |
| 9/23/2013 | Robert E. Moore, Jr. | REVIEW AND RESPOND TO EMAILS, MEETING WITH J.BRYANT AND B.SPAULDING RE: PENDING MATTERS, REVIEW ACTIVITY REPORT .5 | 0.5 | \$130.00 | \$65.00 |
| 9/23/2013 | Sarah D. Forton | WORK ON FEE FILING | 0.5 | \$45.00 | \$22.50 |
| 9/24/2013 | Robert E. Moore, Jr. | FOLLOW UP ON PLAN TO PLAN TRANSFERS-WALLICK KEMP .5 | 0.5 | \$130.00 | \$65.00 |
| 9/24/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED | 1 | \$45.00 | \$45.00 |

SOMMET GROUP LLC 401K PLAN

September 2013

| Date | Name | Description | Hours | Rate | Total |
|--------------|----------------------|---|-------|----------|-------------------|
| 9/25/2013 | Billy B. Spaulding | INSPECT TY 2011 F5500 BACKUP DOCUMENTATION. BEGIN PROCESS OF COMPILING FINANCIAL DATA TO BE USED FOR TY 2012 F5500. DOWNLOAD FINANCIAL DATA FROM JOHN HANCOCK DATABASE AND BEGIN ANALYSIS FOR USE IN TY 2012 F5500. | 2.2 | \$110.00 | \$242.00 |
| 9/25/2013 | Robert E. Moore, Jr. | UPDATE S.FORTON ON PLAN TO PLAN, DISCUSS DEADLINES, EMAILS TO Y.INFANTE ON BREAD AND COMPANY 4; CALL WITH J.SANDS RE: INFORMATION REQUEST, MEETING AND REVIEW WITH S.FORTON RE: SAME. .5 | 0.9 | \$130.00 | \$117.00 |
| 9/25/2013 | Sarah D. Forton | CALLS FROM PARTICIPANTS RE: DISTRIBUTION FORMS, LOG IN DISTRIBUTION FORMS RECEIVED, DISCUSSION WITH ROB MOORE RE: DOL REQUEST RE: MISSING FUNDS PER PARTICIPANT | 2 | \$45.00 | \$90.00 |
| 9/26/2013 | Billy B. Spaulding | READ E MAIL ON DOL REQUEST FOR ADDRESS OF PARTICIPANTS WITH SHORTAGES. DISCUSS MEANS OF PROVIDING INFORMATION. | 0.4 | \$110.00 | \$44.00 |
| 9/26/2013 | Sarah D. Forton | DISCUSSION WITH BILLY SPAULDING RE: MISSING PARTICIPANT REQUEST, WORK ON REQUEST | 1.5 | \$45.00 | \$67.50 |
| 9/27/2013 | Billy B. Spaulding | WORK ON COMPILING FILE OF ADDRESSES OF PARTICIPANTS WITH SHORTAGES IN RESPONSE TO REQUEST BY DOL. | 1 | \$110.00 | \$110.00 |
| 9/27/2013 | Sarah D. Forton | DISCUSSION WITH BILLY SPAULDING AND ROB MOORE RE: MISSING PARTICIPANT REQUEST FROM DOL, WORK RE: SAME | 2 | \$45.00 | \$90.00 |
| 9/30/2013 | Billy B. Spaulding | WORK ON ANALYSIS OF DATA FOR USE IN PREPARING TY 2012 F5500. | 0.5 | \$110.00 | \$55.00 |
| Total | | | | | \$2,771.00 |

RMI EXPENSE RECOVERABLE SOMMET 401 K

9/1/13 Through 9/30/13

| Category Description | 9/1/13- 9/30/13 | OVERALL TOTAL |
|------------------------------|--------------------|------------------|
| 5250 OH ADJ TO BILL | | |
| 5690-RMI OH EXPENSE | -484.55 | -484.55 |
| TOTAL 5250 OH ADJ TO BILL | -484.55 | -484.55 |
| 5300 EXPENSES | | |
| 6060-RENT | -55.88 | -55.88 |
| 6205-COPIES | -14.20 | -14.20 |
| 6210-POSTAGE | -13.60 | -13.60 |
| 6222-TELEPHONE LONG DISTANCE | -112.40 | -112.40 |
| 6340-INSURANCE EXPENSE | | |
| RB-RECEIVERS BOND | -700.00 | -700.00 |
| TOTAL 6340-INSURANCE EXPENSE | -700.00 | -700.00 |
| TOTAL 5300 EXPENSES | -896.08 | -896.08 |
| OVERALL TOTAL | -1,380.63 | -1,380.63 |