

Status of Kivisto Settlement
12/22/10

On November 19, 2010, in the matter captioned *Bettina Whyte, Litigation Trustee v. Thomas L. Kivisto, et al.*, Adversary No. 09-50189 (BLS), the Court granted the joint motion of the Litigation Trust and certain defendants to approve settlement as to those defendants ("Approval Motion"). The Court granted the Approval Motion over the objection of PricewaterhouseCoopers LLP ("PwC"). On December 3, 2010, PwC filed a notice of appeal of the order and the opinion granting the Approval Motion.