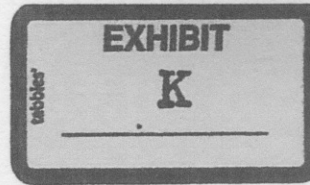


(This Exhibit was not included in the original filing of the \$2255 Motion or the accompanying Exhibits.)



PROBATE COURT OF HAMILTON COUNTY, OHIO  
JAMES CISSELL, JUDGE

ENTERED

IN RE ESTATE OF  
CASE NO.

BEVERLY W. HERSH  
2005002142

JUL 06 2010

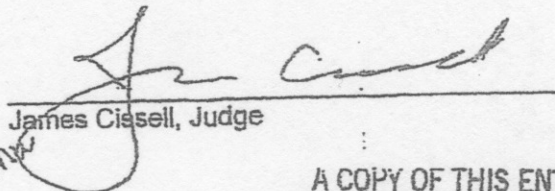
IMAGE NO. 7.1

ENTRY ADOPTING DECISION OF MAGISTRATE

All necessary parties have been notified of the *Decision of Magistrate* entered on 4/28/10. Objections were filed but were subsequently withdrawn. The Court finds that the Magistrate's Findings of Fact are sufficient for the Court to make an independent analysis of the issues and to apply the appropriate rules of law. The Court therefore adopts the *Decision of Magistrate* and determines that Robert L. Schwartz was properly ordered to disgorge the commission previously taken by him in the amount of \$331,386.07 and was properly surcharged for that amount.

The Court therefore adopts the *Decision of Magistrate* as its Order in this matter.

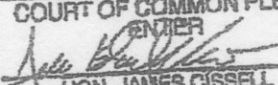
IT IS SO ORDERED.

  
James Cissell, Judge

CC: James P. Fleisher, Esq.  
Jan M. Frankel, Esq.  
Joshua L. Goode Esq.

A COPY OF THIS ENTRY  
WAS MAILED TO THE PARTIES  
LISTED AT LEFT ON 7/6/10  
BY John [Signature]

FILED DEPUTY CLERK  
COURT OF COMMON PLEAS

COURT OF COMMON PLEAS  
ENTER  
  
HON. JAMES CISSELL  
THE CLERK SHALL SERVE NOTICE  
TO PARTIES PURSUANT TO CIVIL  
RULE 58 WHICH SHALL BE TAXED  
AS COSTS HEREIN.

2010 JUL -6 AM 11:40  
STATE OF OHIO COUNTY OF HAMILTON  
COURT OF COMMON PLEAS PROBATE DIVISION  
THIS IS TO CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE DOCUMENT ON  
FILE IN THIS OFFICE.  
WITNESS MY HAND AND SEAL OF SAID COURT  
THIS 7 DAY OF July 2010  
JAMES CISSELL, Judge & [Signature] Office Clerk  
[Signature] Deputy Clerk