

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIGITAL MEDIA SOLUTIONS, LLC,)	CASE NO. 1:19-cv-145
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
v.)	MAGISTRATE JUDGE
)	THOMAS M. PARKER
SOUTH UNIVERSITY OF OHIO, LLC)	
<i>et al.</i> ,)	
)	
Defendants.)	

**MOTION TO APPROVE SECOND SETTLEMENT AGREEMENT
DEADLINE FOR FILING OBJECTIONS INCLUDED HEREIN**

Mark E. Dottore, Receiver of the Receivership Entities, moves this Court of the entry of an Order approving the Second Settlement Agreement entered into by and between himself as Receiver for the Receivership Entities and Studio Enterprise Manager, LLC (“Studio”). A copy of the Second Settlement Agreement is attached hereto as Exhibit A.

As a result of this Court’s order regarding the termination of the Receivership, entered April 26, 2019 [Doc. 285], the Receiver and Studio worked together to determine how best to finish disentangling the various Receivership and non-Receivership entities. Recognizing that the principal issue between the parties to date had been issues concerning money, they crafted a structure whereby they would, in essence, walk away from each other without further payment obligations between them once the one-time payments referenced in the settlement agreement were made. To that end, and after meaningful negotiations and compromise, the parties agreed upon the structure outlined in the attached Second Settlement Agreement. The Receiver believes that the proposed Second Settlement Agreement is in the best interests of the

estate as it resolves a number of disputes between the parties and provides a clean path to complete the separation of the Receivership and non-Receivership entities.

The parties to the Settlement Agreement request that the Court set a schedule to hear any objections to the Motion and, in the event there are objections, schedule a hearing date. In light of the pending Receivership termination date of May 31, **the parties respectfully request that any objections be filed within five business days of the filing of this Motion and that a hearing date be scheduled within five days of that date.**

WHEREFORE, the Receiver respectfully requests that the Court find the Second Settlement Agreement to be in the best interests of the Receivership Estate and formally approve it.

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Dated: May 15, 2019

Respectfully submitted,

/s/ Hugh D. Berkson
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Special Counsel for the Receiver

CERTIFICATE OF SERVICE

The foregoing was electronically filed this 15th day of May, 2019. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Hugh D. Berkson
Hugh D. Berkson (0063997)