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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re: : Chapter 7

REFCO, LLC,

Debtor.

# MONTHLY OPERATING REPORT BY THE TRUSTEE, ON BEHALF OF REFCO, LLC CHAPTER 7 ESTATE, FOR THE PERIOD FROM JUNE 1, 2008 THROUGH JUNE 30, 2008

TRUSTEE'S ADDRESS: Albert Togut, Chapter 7 Trustee for Refco, LLC

c/o Togut, Segal & Segal LLP One Penn Plaza, Suite 3335 New York, New York 10119

TRUSTEE'S ATTORNEYS: Togut, Segal & Segal LLP Jenner & Block LLP

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REPORT PREPARER: Bridge Associates, LLC, on behalf of Albert Togut as the Chapter 7 Trustee for Refco, LLC

DATED: New York, New York

July 31, 2008

ALBERT TOGUT, as the Chapter 7 Trustee for Refco, LLC

By his attorneys,

TOGUT, SEGAL & SEGAL LLP

Case No. 05-60134 (RDD)

By:

/s/ Scott E. Ratner

SCOTT E. RATNER (SER-0015)

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### Refco, LLC Chapter 7 Case No. 05-60134 (RDD) NOTES TO MONTHLY OPERATING REPORT

For the Period from June 1, 2008 through June 30, 2008

#### NOTE 1 - Petition for Relief Under Chapter 7

On November 25, 2005 (the "Petition Date"), Refco, LLC (the "Chapter 7 Debtor") filed a petition for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York (the "Court"). On the Petition Date, Albert Togut was appointed the trustee for the Chapter 7 Debtor (the "Trustee"), accepted his appointment, duly qualified, and is now the permanent Trustee.

Refco, LLC, the Chapter 7 Debtor, is a registered futures commission merchant and is the most significant regulated subsidiary of Refco Inc., which is the Chapter 7 Debtor's sole manager. On October 17, 2005, Refco, Inc., together with 23 affiliated entities, commenced Chapter 11 cases before the Court. On December 15, 2006 the Modified Joint Chapter 11 Plan of Refco Inc. and Certain of Its Direct and Indirect Subsidiaries, dated December 4, 2006, was confirmed by the Court.

#### **NOTE 2 - Basis of Presentation**

On October 9, 2005, after consultation by the Audit Committee of Refco Inc. with its independent accountants, Refco Inc. determined that its financial statements, as of, and for the periods ended, February 28, 2002, February 28, 2003, February 29, 2004, February 28, 2005, and May 31, 2005, taken as a whole, should no longer be relied upon. As a result, Refco Inc. and its subsidiaries, including the Chapter 7 Debtor, did not issue financial statements at the time of their respective bankruptcy filings. Nonetheless, the Trustee for the Chapter 7 Debtor has prepared this Monthly Operating Report (the "Report"). This Report has been prepared on the cash basis of accounting rather than in reliance on the Chapter 7 Debtor's books and records.

The Report does not present a balance sheet or statement of operations for the Chapter 7 Debtor and contains unaudited information. The information is subject to further review and potential adjustment and may not be indicative of the Chapter 7 Debtor's financial condition. There can be no assurance that this Report is complete as the Trustee and his professional advisors are still conducting due diligence concerning the assets and liabilities of the Chapter 7 Debtor and its financial affairs generally. The Trustee undertakes no obligation to update or revise this Report.

(Continued)

### Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

### NOTES TO MONTHLY OPERATING REPORT

For the Period from June 1, 2008 through June 30, 2008

#### **NOTE 3 - Man Financial Transaction**

On the Petition Date, the Trustee filed an emergency motion to sell the Chapter 7 Debtor's futures commission merchant business to Man Financial, Inc. ("Man Financial"). On that date, the Court entered an order approving the sale (the "Sale Order"), and authorized the Trustee to perform the Chapter 7 Debtor's obligations under an agreement with Man Financial that had been negotiated pre-petition (the "Acquisition Agreement"). The sale to Man Financial closed and was consummated that same night.

Also on the Petition Date, the Court entered an order (the "Operating Order") authorizing the Trustee to continue to operate the Chapter 7 Debtor's business in order to effectuate the sale to Man Financial and the terms of the Sale Order, and granted the Trustee the fullest measure of quasi-judicial immunity permitted by law for any actions or inactions taken by the Trustee in good faith pursuant to orders of the Court, in compliance with any order, rule, law, judgment, regulation or decree, and/or in exercising his objectively reasonable business judgment. The Court subsequently entered an order on February 1, 2006 further clarifying the Trustee's authority to operate the Chapter 7 Debtor's business and on August 10, 2006, entered an order further extending the Trustee's operating authority.

In accordance with the Sale Order and Operating Order, the Trustee has been winding down the Chapter 7 Debtor's remaining business, and has been providing the transition services required to be provided to Man Financial under the Sale Order and Transition Services Agreement (the "TSA") approved in the Sale Order. In fulfilling his obligations, the Trustee has been making disbursements from the Chapter 7 Debtor's estate on account of various post-petition expenses and obligations, including reimbursements to affiliated entities for shared expenses, services and employees allocated to the Chapter 7 Debtor's estate; cure payments (which are the Chapter 7 Debtor's responsibility under the Sale Order), as well as real property and equipment leases, information technology and related services, and other expenses related to the business operations sold to Man Financial (under the Sale Order and TSA, the Chapter 7 Debtor's estate is obligated to provide transition services to Man Financial for up to 270 days following the sale, and Man Financial is required to reimburse the Chapter 7 Debtor's estate for a portion of the cost of those services).

In addition, pursuant to a stipulated order entered by the Court on December 9, 2005 (the "Payment Stipulation"), the Trustee has been authorized to pay certain pre-petition claims deemed critical to prevent disruption to the business sold to Man Financial.

With the exception of cash and securities that exceeded the amounts required to be segregated for the benefit of public customers ("Excess Capital"), substantially all of the Chapter 7 Debtor's tangible assets, customer operations and business operations were sold to Man Financial pursuant to the Sale Order. Thus, from and after the Petition Date, the Chapter 7 Debtor's assets primarily have consisted of the proceeds from the sale to Man Financial, Excess Capital and miscellaneous assets and receivables.

### Schedule I Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

### SCHEDULE OF CASH RECEIPTS AND DISBURSEMENTS $^{1,2}$

For the Period from June 1, 2008 through June 30, 2008 (Amounts in thousands)

	Chase Money Marko	et <sup>(3)</sup>	Chase Checking		Total	
Beginning Balance, June 1, 2008		,760		\$	78,760	1
, ,	_ φ 76,	,700	Ψ -	Ψ	70,700	J
RECEIPTS						7
Interest Income		134			134	See Schedule I-A for Detail
Sale of Assets						
Marshalling of Excess Capital						
Man Financial - Excess Capital Return / Excluded Account Collections						
Membership and Clearing Deposits						
Other Receivables		40			40	See Schedule I-A for Detail
TOTAL RECEIPTS	\$	174	\$ -	\$	174	]
TRANSFERS						
Money Market Account to Checking Account				1	_	1
TOTAL TRANSFERS	\$	-	\$ -	\$		
DISBURSEMENTS  Operation Francisco and Other Dishursements		336		1	226	See Schedule I-B for Detail
17 17 17 17 17 17 17 17 17 17 17 17 17 1						7
Operating Expenses and Other Disbursements  Executory Contract Cure Payments	+	330			330	See Schedule 1-B for Detail
Pursuant to Payment Stipulation	+					
Purchase Price Escrow Deposit	_					-
Excepted Account Escrow Fund	_					-
Membership and Clearing Deposits	_					
Payment on Account of Prepetition Claims						-
Other Disbursements						-
Other Disoursements						
Reorganization Expenses:						1
Attorney Fees	+					1
Trustee Bond Premium						1
Other Professional Fees						1
						1
Outer Froncessional Fees						
TOTAL DISBURSEMENTS	\$	336	\$ -	\$	336	

<sup>(1)</sup> This Schedule of Cash Receipts and Disbursements is prepared on a cash basis.

<sup>(2)</sup> No provision has been made for unpaid professional fees and trustee commissions incurred during the Chapter 7 period.

<sup>(3)</sup> The activity shown is in the JPMorgan Chase Bank, N.A., Money Market account number 312887866065. There was no activity in the JPMorgan Chase Bank, N.A., Money Market account number 312887866067 for the month of June 2008.

# Schedule I - A Refco, LLC Chapter 7 Case No. 05-60134 (RDD)

# **DETAIL OF MONTHLY CASH RECEIPTS - CHASE MONEY MARKET ACCOUNT** For the Period from June 1, 2008 through June 30, 2008

(Amounts in thousands)

Date	Description	<u>Amount</u>
6/30/2008	Interest Earned	134
	Interest Income Subtotal	134
6/24/2008	Accounts Receivable Collections	20
6/25/2008	Accounts Receivable Collections	20
	Other Receivables Subtotal	40
	Total Money Market Receipts	174

### Schedule I - B Refco, LLC Chapter 7 Case No. 05-60134 (RDD)

### DETAIL OF MONTHLY CASH DISBURSEMENTS - CHASE MONEY MARKET ACCOUNT

For the Period from June 1, 2008 through June 30, 2008

(Amounts in thousands)

<u>Date</u>	Description	An	nount
6/24/2008	•		336 336
6/13/2008	General Accounts Payable Payroll Employee Benefits Credit <sup>1</sup> 6/13/2008 Subtotal	51 5 2 (58)	0
6/30/2008	General Accounts Payable Payroll Employee Benefits Credit <sup>1</sup> 6/30/08 Subtotal	30 5 2 (37)	0
	Total Disbursements		0

### Notes:

(1) RCC processes disbursements on behalf of all Refco entities for certain expenses, including Refco, LLC ("LLC"). LLC reimburses RCC for any expense amounts paid by RCC directly related to LLC as well as LLC's allocable share of certain shared expenses.

### Schedule I - C Refco, LLC Chapter 7 Case No. 05-60134 (RDD)

### DETAIL OF MONTHLY CASH DISBURSEMENTS - CHASE CHECKING ACCOUNT

For the Period from June 1, 2008 through June 30, 2008

(Amounts in thousands)

None this Period		

### Schedule II Refco, LLC Chapter 7 Case No. 05-60134 (RDD)

### SCHEDULE OF PAYROLL AND PAYROLL TAXES

For the Period from June 1, 2008 through June 30, 2008 (Amounts in thousands)

During this period, the Chapter 7 Debtor reimbursed Refco Capital LLC for \$14 in gross payroll costs allocated by Refco Capital LLC to the Chapter 7 Debtor's estate for time spent by employees of other Refco Inc. entities relating to administration of the Chapter 7 Debtor's case. The gross amount reimbursed to Refco Capital LLC included an allocation for wages, benefits, withholding taxes and other payroll-related expenses. Refco Capital LLC is responsible for remitting all wages, withholding taxes and benefit payments to the appropriate entities and taxing authorities.

### Schedule III Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

# SCHEDULE OF FEDERAL, STATE AND LOCAL TAXES COLLECTED, RECEIVED, DUE OR WITHHELD

For the Period from June 1, 2008 through June 30, 2008

The Chapter 7 Debtor is a limited liability company with a single member and, accordingly, is considered a "disregarded entity" for federal and most state income tax purposes, including those states where most of the historic business was conducted. Therefore, the Chapter 7 Debtor has no liability for federal income tax and most other taxes.

### Statement A Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

### STATEMENT REGARDING INSURANCE POLICIES

For the Period from June 1, 2008 through June 30, 2008

All insurance policies, to the extent necessary, are maintained by Refco Inc. on behalf of the Chapter 7 Debtor's estate. The Trustee has received assurances that all necessary insurance policies for the Chapter 7 Debtor's estate are fully paid for the current period, including any amounts owed for workers' compensation and disability insurance.

### Exhibit A Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

### JPMORGAN CHASE BANK N.A. MONEY MARKET ACCOUNT STATEMENT

For the Period from June 1, 2008 through June 30, 2008

JPMorgan Chase Bank, N.A. Bankruptcy Management Services 4 New York Plaza New York, NY 10004 May 31, 2008 through June 30, 2008 Account Number: **000312887866065** 

### **CUSTOMER SERVICE INFORMATION**

Service Center:

1-800-634-5273

00046496 DBI 802 24 18408 - NNNNN 1 000000000 60 0000 05-60134 REFCO LLC DEBTOR 521150 ALBERT TOGUT TRUSTEE BRANCH 312 4 NYP 17TH FL NEW YORK NY 10004



# **SAVINGS SUMMARY**

Bankruptcy Business Money Market

	INSTANCES	AMOUNT
Beginning Balance		\$78,760,052.03
Deposits and Additions	3	174,086.47
Electronic Withdrawals	1	- 335,626.80
Ending Balance	4	\$78,598,511.70
Interest Paid This Period		\$134,086.47
Interest Paid Year-to-Date		\$434,452.55

This account earns interest daily and the current interest rate is 2.05%.

The total interest paid this year is \$434,452.55.

# **DEPOSITS AND ADDITIONS**

DATE	DESCRIPTIO	I	AMOUNT
06/24	Deposit	100005	\$20,000.00
06/25	Deposit	100006	20,000.00
06/30	Interest Pa	yment	134,086.47
Total De	posits and A	lditions	\$174,086.47

# **ELECTRONIC WITHDRAWALS**

DATE	DESCRIPTION	AMOUNT
06/24	Fedwire Debit Via: Wachovia Bk NA PA/031201467 A/C: Refco Capital Llc Imad:	\$335,626.80
	0624B1Qgc02C003188 Trn: 0000100176Ho	
Total E	lectronic Withdrawals	\$335,626.80

### Exhibit B

### Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

## JPMORGAN CHASE BANK N.A. CHECKING ACCOUNT STATEMENT

For the Period from June 1, 2008 through June 30, 2008

### JPMorganChase 🗘

JPMorgan Chase Bank, N.A. Bankruptcy Management Services 4 New York Plaza New York, NY 10004 May 31, 2008 through June 30, 2008 Account Number: **000312887866066** 

### **CUSTOMER SERVICE INFORMATION**

Service Center:

1-800-634-5273

00046497 DBI 802 24 18408 - NNNNN 1 000000000 60 0000 05-60134 REFCO LLC DEBTOR 521150 ALBERT TOGUT TRUSTEE BRANCH 312 4 NYP 17TH FL NEW YORK NY 10004



<b>CHECKING</b>	SUMMARY
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Bankruptcy Business Checking

	INSTANCES	AMOUNT
Beginning Balance		\$0.00
Ending Balance	0	\$0.00

### Exhibit C Refco, LLC

Chapter 7 Case No. 05-60134 (RDD)

### JPMORGAN CHASE BANK N.A. MONEY MARKET ACCOUNT STATEMENT

For the Period from June 1, 2008 through June 30, 2008



JPMorgan Chase Bank, N.A. Bankruptcy Management Services 4 New York Plaza New York, NY 10004 May 31, 2008 through June 30, 2008 Account Number: **000312887866067** 

### **CUSTOMER SERVICE INFORMATION**

Service Center:

1-800-634-5273

00046498 DBI 802 24 18408 - NNNNN 1 000000000 60 0000 05-60134 REFCO LLC DEBTOR 521150 ALBERT TOGUT TRUSTEE BRANCH 312 4 NYP 17TH FL NEW YORK NY 10004



### **SAVINGS SUMMARY**

Bankruptcy Business Money Market

	INSTANCES	AMOUNT
Beginning Balance		\$0.00
Ending Balance	0	\$0.00

This account earns interest daily and the current interest rate is 2.00%.

The total interest paid this year is \$0.00.