# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

UNITED STATES COMMODITY	§	
FUTURES TRADING COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. A-12-CV-0862-LY
	§	
SENEN POUSA, INVESTMENT	§	
INTELLIGENCE CORPORATION,	§	
DBA PROPHETMAX MANAGED FX,	§	
JOEL FRIANT, MICHAEL DILLARD, and	§	
ELEVATION GROUP, INC.,	§	
	§	
Defendants.	§	

# RECEIVER'S UPDATE AND UNOPPOSED MOTION FOR JOINT ADMINISTRATION OF RECEIVERSHIP ESTATES, APPROVAL OF SEVENTH FEE APPLICATION, AND BRIEF IN SUPPORT

Guy M. Hohmann, the Court-appointed Receiver in the above-referenced ProphetMax Receivership matter and the ancillary IB Capital Matter, files this Update and Unopposed Motion for Joint Administration of Receivership Estates, Approval of Seventh Fee Application, and Brief in Support ("Motion") and requests (1) the Court's approval to jointly administer the ProphetMax Receivership Estate and related IB Capital Receivership Estate; and (2) the Court's approval of the Receiver's Seventh Fee Application from the period January 1, 2017 to May 31, 2017 (the "Seventh Fee Period") totaling \$67,525.28. The Receiver believes that this Motion and brief in support demonstrate that joint administration of the related estates will conserve judicial and estate resources, and that the Receiver's fees and expenses were reasonable and necessary. Furthermore, the Receiver believes that the brief in support of this Motion demonstrates that the Court has ample authority to order such relief.

#### I. BRIEF BACKGROUND

- 1. On September 18, 2012, the Court entered a Statutory Restraining Order ("Order") [Docket No. 4] appointing Guy M. Hohmann to serve as the Receiver for the assets of Defendants Senen Pousa, Investment Intelligence Corporation, *dba* ProphetMax Managed FX ("IIC"), and Joel Friant, including the assets of their respective affiliates or subsidiaries (collectively, the "ProphetMax Receivership Estate" or "Estate"). *See* Order ¶¶ 11, 19.
- 2. On November 9, 2015, the CFTC filed a related proceeding in the United States against the entity IB Capital and its principals Emad Echadi and Michel Geurkink for violations of the Commodity Exchange Act. *See* CFTC's Complaint for Permanent Injunction, Civil Penalties, and Other Equitable Relief, Case No. 1:15-cv-01022-LY, *U.S. Commodity Futures Trading Commission v. IB Capital FX, LLC et al.* [IB Capital Matter Docket No. 1]. On January 15, 2016, the Court entered an order enjoining IB Capital and principals Michel Geurkink and Emad Echadi (the "IB Capital Defendants") from engaging in certain activity. *See* Order of Preliminary Injunction and Other Equitable Relief ("IB Capital Order"), Case No. 1:15-cv-01022-LY, *U.S. Commodity Futures Trading Commission v. IB Capital FX, LLC et al.* [IB Capital Matter Docket No. 16]. In the IB Capital Order the Court also appointed Guy Hohmann as Receiver to take control of the IB Capital Defendants' assets, and requires that the IB Capital Defendants' assets be repatriated to the Receiver. IB Capital Order at ¶10.

#### II. IB CAPITAL CONSENT ORDER AND DUTCH PROCEEDINGS

3. On October 14, 2016, the Court entered a consent order (the "IB Capital Consent Order") and final judgment against Michel Geurkink, Emad Echadi and IB Capital. Pursuant to the IB Capital Consent Order, the IB Capital Defendants have agreed to payment of civil monetary

penalties as well as restitution totaling \$35 million dollars. It has been (and continues to be) the Receiver's hope that a significant amount of the restitution owed by the IB Capital Defendants will be satisfied with funds that are currently frozen in the Netherlands in connection with an ongoing criminal case against the IB Capital Defendants in that jurisdiction, allowing for distribution of those funds to investors in the United States and worldwide. For some time, the CFTC and Receiver have been working with the IB Capital Defendants and authorities in the Netherlands to come to an agreement regarding the disposition of those funds. Recently, as noted in the Receiver's most recent fee application, the Receiver retained counsel in the Netherlands in an attempt to expedite the process. Throughout the past few months communication between the Receiver's Dutch counsel, the CFTC, and Dutch authorities has been ongoing. As a result of these ongoing communications, the Receiver has reason to believe that repatriation of the funds at issue may be imminent. It is the Receiver's belief that this progress on the part of the Dutch prosecutors is largely attributable to the retention of local counsel in the Netherlands, which has provided a more direct channel of communication with Dutch authorities and a more nuanced understanding of the ongoing criminal process and relevant laws.

4. Through his Dutch counsel, the Receiver has also learned that significant claims may exist against a large third party entity based in the Netherlands. Moreover, it is the Receiver's position that it would be proper to file suit against the third party in this Court. The Receiver has recently sent a demand letter to this third party effectively extending the statute of limitations against the party for five years. The Receiver expects a response to his demand within the next three weeks. Should he be successful in recovering funds either through expedited settlement discussions or a lawsuit, those funds (which could be significant) would likewise be distributed to investors.

## III. JOINT ADMINISTRATION OF THE PROPHETMAX AND IB CAPITAL RECEIVERSHIPS

- 5. Through this Motion the Receiver requests that the Court approve the Receiver's request to jointly administer the ProphetMax and IB Capital receiverships in order to preserve judicial resources and resources of the Receivership Estate. The ProphetMax Matter and IB Capital Matter involve the same fraud, victims, pool of funds and other potential sources of recovery. It is looking increasingly likely that there will soon be a distribution of all funds, including funds currently held in the Netherlands traceable to the IB Capital Defendants. Thus, the Receiver's request is timely.
- 6. The relief sought by the Receiver is supported by both bankruptcy statutes (which Courts have found compelling in determining equity receivership issues), and non-bankruptcy federal rules.
- 7. Federal Rule of Civil Procedure 42 gives the Court wide discretion in the treatment of the Receiverships, stating:
  - a. If actions before the court involve a common question of law or fact, the court may:
    - i. join for hearing or trial any or all matters at issue in the actions;
    - ii. consolidate the actions; or
    - iii. issue any other orders to avoid unnecessary cost or delay.

See Fed. R. Civ. P. 42(a).

8. Similarly, Rule 1015(b) of the Federal Rules of Bankruptcy Procedure states that a court presiding over two related bankruptcy cases (of the same debtor, or two or more related

<sup>&</sup>lt;sup>1</sup> See Janvey v. Alguire, 3:09-CV-0724-N, 2014 WL 12654910, at \*7-10 (N.D. Tex. July 30, 2014), aff'd, 847 F.3d 231 (5th Cir. 2017);

debtors) may order that the estates be jointly administered. *See* F.R.B.P. 1015(b). The rule goes on to state that a court presiding over jointly administered cases may "enter orders as may tend to avoid unnecessary cost and delay" as long as the rights of parties under the Code remain protected. *See* F.R.B.P. 1015(c).<sup>2</sup> Rule 15(c) provides similar relief as that contemplated by Federal Rule of Civil Procedure 42, as noted by the Advisory Committee Notes to Rule 15(c): "*Subdivision* (c) is an adaptation of the provisions of Rule 42(a) F.R. Civ. P. for the purposes of administration of estates under this rule."

9. The Receiver requests that the Court exercise its broad authority to order joint administration of the IB Capital and ProphetMax Receiverships. The receiverships and their corresponding estates implicate the same investors, fraud, injury, claims, funds, and ultimately, distribution. If the receiverships are not jointly administered, the Receiver and parties such as the CFTC will be obligated to draft, file, and serve two separate copies of pleadings requesting identical relief; or, in the case of relief previously requested in the ProphetMax Receivership, duplicate efforts to complete certain tasks for the IB Capital Receivership. For example, the Receiver may avoid filing a request for approval of a claims process in the IB Capital matter, as the process already approved and completed in the ProphetMax matter applies equally to the identical investor claims in the IB Capital matter. Similarly, requests for approval of a distribution mechanism will apply equally to the ProphetMax and IB Capital Receiverships, as the investor group in each is identical, and one distribution will satisfy the duplicative claims. Finally, the Receiver has recently retained Dutch counsel local to the proceedings in the Netherlands as

<sup>&</sup>lt;sup>2</sup> While Rule 1015 deals with bankruptcies involving either the same debtor or (1) husband and wife, (2) partnership and one or more of its general partners, (3) two or more general partners, or (4) a debtor and an affiliate, the rule is instructive only and need not apply in all relevant aspects to this non-bankruptcy matter. Moreover, the rule is an adaptation of Federal Rule of Civil Procedure 42(a), which contains no such requirements regarding the relationship of the underlying estates in Receivership.

described herein. The services performed by Dutch counsel are relevant and beneficial to both receivership estates (as often are those of the Receiver and his other retained professionals); thus, jointly administering the estates will provide clarity in billing and requesting relief for fees incurred.

10. The Receiver does not request that the Court substantively consolidate the cases associated with the ProphetMax Receivership and IB Capital Receivership at this time, but simply authorize joint administration of the Receiverships. As discussed herein, joint administration of the Receiverships will simplify the Receiver's duties by reducing duplication of efforts in pursuing any relief (a) sought by the Receiver from the Court and (b) provided by the Receiver to investors, resulting in a more efficient use of the resources of the Court and Receivership Estates. The Court has wide latitude to authorize joint administration of the nearly identical ProphetMax and IB Capital Receiverships, and the increased efficiency, simplicity, and clarity resulting from doing so will benefit the Court and all relevant parties, including the Receivership estates.

#### IV. RECEIVER'S SEVENTH FEE APPLICATION

11. Finally, the Receiver also requests that the Court approve the Receiver's Seventh Fee Application totaling \$67,525.28 which includes fees incurred by the Receiver and the Receiver's retained U.S. and Dutch counsel from January 1, 2017 through May 31, 2017.

#### a. The Receiver

12. As detailed above, during the Seventh Fee Period the Receiver has focused primarily on opening a new communication channel with the Dutch authorities with the hopes that the significant amount of funds traceable to the ProphetMax and IB Capital fraud, which is currently frozen in the Netherlands, will be repatriated to the Receiver for pro-rata distribution to investors pursuant to the claims process previously undertaken by his team. In addition to

monitoring the ongoing criminal proceedings against the IB Capital Defendants (pursuant to which the funds at issue have been frozen), the Receiver has obtained facts suggesting that a significant claim may exist against a large third party entity in based in the Netherlands. In light of these new revelations, he has also focused his efforts on preserving claims against the party in light of the applicable statutes of limitations, and hopes to soon engage in substantive settlement discussions with the party.

13. The fees charged by the Receiver during the Seventh Fee Period include all compensation requested for the Receiver's services. *See* Receiver's Invoices attached hereto as **Exhibit A** and **Exhibit B**. The Receiver requests the Court's approval to pay for these services totaling \$29,552.77 in fees and expenses because the fees and expenses were reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

#### b. The Law Firm of Hohmann, Brophy & Shelton, PLLC

- 14. A significant portion of the efforts of both counsel for the Receiver and support staff during the Seventh Fee Period involved: (1) assisting the Receiver's engagement of Dutch counsel for the purpose of effectuating repatriation of funds held in the Netherlands; assisting the Receiver in analyzing the viability of claims and jurisdictional issues against potentially liable third parties; (3) maintaining regular communication with investors regarding the status of the ProphetMax and IB Capital matters and an anticipated distribution; and (4) continuing to manage occasional incoming claims and requests to confirm receipt of claim information. The Receiver's counsel have continued to provide services to the ProphetMax and IB Capital matters at a 15% discount to their customary billing rates. *See* Invoices of Hohmann, Brophy & Shelton, PLLC, attached hereto as **Exhibit C** and **Exhibit D**.
- 15. The fees and expenses charged by HBS during the Seventh Fee Period include all compensation requested for the services of the Receiver's US-based legal professionals. *See*

**Exhibit C** and **Exhibit D**. The Receiver requests the Court's approval to pay for these services totaling \$17,503.56 in fees and expenses because the fees and expenses were reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

#### c. Eversheds B.V.

- 16. As noted in the Receiver's Sixth Fee Application, the Receiver has retained the firm of Eversheds B.V. ("Eversheds") in an attempt to expedite the repatriation of funds associated with the IB Capital proceedings. Jurjen de Korte, a partner at Eversheds based in the Netherlands and Receiver's counsel, specializes in cross-border litigation and has agreed to provide consulting and legal services in connection with enforcement of the IB Capital Consent Order and repatriation of Dutch funds. As anticipated by the Receiver in the Sixth Fee Application, the Eversheds fees have exceeded the initial \$5,000 retainer approved by the Court, and currently seeks reimbursement for Eversheds' fees and expenses incurred during the Seventh Fee Period totaling \$20,468.95. *See* Invoices of Eversheds B.V., attached hereto as **Exhibits E-H.**
- 17. As noted herein, the Receiver believes that significant progress has been made regarding repatriation efforts and potentially lucrative third party claims, and it is the Receiver's position that this progress could not have been made if not for the local expertise and contacts provided by Eversheds. The Receiver requests the Court's approval to pay fees and expenses of Eversheds totaling \$20,468.95 because the fees and expenses were reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

#### V. CONCLUSION

18. The Receiver requests that the Court enter the proposed Order filed with this Motion to approve the joint administration of the ProphetMax and IB Capital Receiverships, which the Receiver believes are in the best interest of the Receivership Estate. Moreover, the Receiver requests that the Court enter the proposed Order filed with this Motion to approve the payment of

interim fees and expenses of \$67,525.28 to the Receiver and the retained professionals who rendered services to the ProphetMax Receivership Estate and IB Capital Receivership Estate during the Seventh Fee Period, which were both reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

Respectfully submitted, HOHMANN, BROPHY & SHELTON, PLLC

By: /s/ Carrie Puccia

Carrie Puccia State Bar No. 24083691 carriep@hbslawyers.com 210 Barton Springs Road, Suite 500 Austin, Texas 78704 (512) 596-3622

ATTORNEY FOR GUY M. HOHMANN IN HIS CAPACITY AS RECEIVER FOR THE PROPHETMAX RECEIVERSHIP ESTATE

#### **CERTIFICATE OF CONFERENCE**

Counsel for the Receiver conferred with Timothy Mulreany, counsel for the CFTC, who stated that the CFTC does not oppose this Motion nor the relief sought herein. The Motion, therefore, is unopposed.

\_\_\_\_\_\_/s/ Carrie Puccia
Carrie Puccia

#### **CERTIFICATE OF SERVICE**

On June 22, 2017, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court, Western District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Carrie Puccia
Carrie Puccia

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Hohmann, Brophy, Shelton & Weiss, PLLC

210 Barton Springs Road, Suite 500

Austin, TX 78734

**BILL TO** 

IB Capital

Matter No.: 121-02 Guy Hohmann,

Receiver for IB Capital

## **INVOICE 1634**

**DATE** 05/31/2017 **TERMS** Net 30

**DUE DATE** 06/30/2017

DATE	ACCOUNT SUMMARY	AMOUNT
12/31/2016	Balance Forward	\$15,231.58
	Payments and credits between 12/31/2016 and 05/31/2017	-15,231.58
	New charges (details below)	24,678.00
	Total Amount Due	\$24,678.00

DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/03/2017	GMH	1:48	540.00	972.00
	Outline matters to discuss with ;			
	telephone call with regarding			
	,			
	and			
	conferences with Carrie Puccia			
	and Keri Anderson regarding .			
01/04/2017	GMH	0:18	540.00	162.00
	Conference with Ryan Shelton regarding			
	and in connection with			
	and post-judgment discovery to be issued.			
01/05/2017	GMH	0:18	540.00	162.00
	Emails with Ryan Shelton and Carrie Puccia regarding			
	, and .			
01/06/2017	GMH	1:12	540.00	648.00
	Prepare for and telephone conference with			
	regarding and			
	conference with Carrie Puccia regarding			
01/10/2017	GMH	0:24	540.00	216.00
	Conference with Carrie Puccia regarding			
	and email with			
	regarding			
01/11/2017	GMH	0:24	540.00	216.00
	Emails with regarding			
	and regarding			
	emails with Carrie Puccia regarding			

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/12/2017	GMH Internet searches regarding with ; emails with counsel regarding , and ; correspondence with Keri Anderson and Carrie Puccia regarding and	2:12	540.00	1,188.00
01/14/2017	GMH Emails with Keri Anderson and Carrie Puccia regarding with and , and ; emails with Dutch counsel (Jurjen de Korte) regarding and , and	0:24	540.00	216.00
01/16/2017	GMH Correspondence with Jurjen de Korte regarding and ; review of the and	3:48	540.00	2,052.00
01/16/2017	GMH Emails to/from Jurjen de Korta regarding and , and onference emails and correspondence with Keri Anderson regarding emails with Emad Echadi, Michael Guerkink, and their Dutch counsel rearding payment of Restitution Obligaitions and Release of interests in financial accounts.	3:48	540.00	2,052.00
01/17/2017	GMH  Multiple emails with Jurjen de Korte regarding ; emails with regarding  and for ; correspondence with Ryan Shelton regarding	1:36	540.00	864.00
01/18/2017	GMH Travel to Frost Bank and set up wire transfer to local counsel in Amsterdam; email with local counsel regarding and brief correspondence with Keri Anderson regarding and regarding	0:48	540.00	432.00
01/19/2017	<b>GMH</b> Emails to/from Jurjen de Korte regarding .	0:12	540.00	108.00
01/20/2017	GMH Prepare for upcoming telephone conference with Mr. Jurjen de Korte and telephone conference with Mr. de Korte regarding and ivity; correspondence with Keri Anderson regarding ; correspondence with Carrie Puccia regarding	1:24	540.00	756.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/24/2017	GMH  Emails with Dutch counsel for Emad Echadi and  Michel Geurkink; emails with regarding emails with Keri Anderson, Carrie Puccia, and  Ryan Shelton regarding ( and response to recent email from  Dutch counsel and review of review and revise RFPs and interrogatories to IB Capital, Echadi, and Geurkink.	3:36	540.00	1,944.00
01/25/2017	GMH Responsive email to Emad Echadi's and Michel Geurkink's Dutch counsel, and Jim George regarding post judgment discovery and responsive information requested in previous email; review Mr. George's Motion to Withdraw.	0:42	540.00	378.00
01/26/2017	GMH Review and revise and , emails with Jurjen de Korte regarding	0:48	540.00	432.00
01/31/2017	GMH  Review and revise , emails with Carrie  Puccia regarding emails to/from Jurjen de Korte  regarding and	0:24	540.00	216.00
02/03/2017	<b>GMH</b> Email with Emad Echadi and Michael Guerkink regarding previously requested information; emails with Jim George regarding his withdrawal.	0:12	540.00	108.00
02/07/2017	<b>GMH</b> Emails with Michael Guerkink regarding request for list of accounts and discovery requests; email with Jurjen de Korte regarding voice mail to .	0:36	540.00	324.00
02/08/2017	GMH Emails with Jurjen de Korte regarding voicemail with correspondence with Carrie Puccia regarding	0:36	540.00	324.00
02/09/2017	GMH Emails to/from Jurjen de Korte regarding ; further email to Mr. de Korte regarding and .	1:12	540.00	648.00
02/10/2017	GMH Emails with Jurjen de Korte and Pam Pryzbylo regarding upcoming meeting with the Dutch on 2/16/2017; review of various materials in connection with or ; emails with , , and Carrie Puccia regarding .	1:06	540.00	594.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
02/13/2017	GMH Email from Pam Pryzbylo regarding upcoming hearing, meeting in Amsterdam; emails with Jurjen de Korte regarding correspondence with Carrie Puccia regarding and review of multiple emails between Ms. Pryzbylo and the Dutch prosecutors.	1:12	540.00	648.00
02/14/2017	GMH  Multiple emails with Jurjen de Korte regarding  ; emails with Keri Anderson and  Carrie Puccia regarding and	0:36	540.00	324.00
02/16/2017	GMH Emails and telephone conference with Dutch counsel regarding and; emails regarding in connection with im	0:48	540.00	432.00
02/17/2017	GMH Emails with Jurjen de Korte regarding and and emails with regarding conference call; correspondence with Keri Anderson and Carrie Puccia regarding and	1:06	540.00	594.00
02/21/2017	GMH Review responses to discovery requests from Guerkink; telephone conference with regarding Jurjen , , and ; email to Mr. de Korte regarding .	1:18	540.00	702.00
02/27/2017	<b>GMH</b> Review incoming email from Emad Echadi regarding back account information and emails with Keri Anderson regarding translation.	0:18	540.00	162.00
02/28/2017	GMH Emails to/from Jurjen de Korte regarding ; review incoming email from Emad Echadi regarding his assets.	0:24	540.00	216.00
03/02/2017	<b>GMH</b> Review and revise , emails from investor victims, Mr. de Korte, Carrie Puccia, and Keri Anderson.	0:24	540.00	216.00
03/09/2017	<b>GMH</b> Emails from and to investor victim regarding status.	0:18	540.00	162.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
03/13/2017	GMH Emails from Jurjen de Korte regarding cent and and , conference with Keri Anderson regarding and additional pleadings to forward to Mr. de Korte; prepare to Mr. de Korte and conference with Carrie Puccia regarding	1:48	540.00	972.00
03/23/2017	GMH Emails with Mr. de Korte regarding , , and and .	0:42	540.00	378.00
03/24/2017	GMH Emails from Jurjen de Korte regarding of and , emails with Jurjen de Korte regarding and	1:06	540.00	594.00
04/02/2017	<b>GMH</b> Email to Jurjen de Korte regarding	0:06	540.00	54.00
04/03/2017	<b>GMH</b> Emails to/from Jurjen de Korte and investor victim regarding status.	0:12	540.00	108.00
04/06/2017	<b>GMH</b> Emails with Mr. de Kortes office regarding , email with Ms. Pryzblo regarding same.	0:24	540.00	216.00
04/13/2017	GMH Email with Jurjen de Korte regarding	0:06	540.00	54.00
04/18/2017	GMH Emails with Dutch counsel regarding emails with Carrie Puccia and Keri Anderson regarding	0:18	540.00	162.00
04/24/2017	GMH Emails with Dutch counsel regarding and ; emails with regarding and telephone conference with regarding	0:42	540.00	378.00
04/25/2017	<b>GMH</b> Emails with Jurjen de Korte regarding .	0:12	540.00	108.00
04/27/2017	GMH Emails with Dutch counsel regarding correspondence with Carrie Puccia and Keri Anderson regarding and ; and other ; emails with regarding .	1:06	540.00	594.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
05/01/2017	<b>GMH</b> Review emails with Jurjen de Korte regarding and	0:18	540.00	162.00
05/02/2017	GMH Prepare for and telephone conference with regarding and ; correspondence with Carrie Puccia regarding in determining .	0:36	540.00	324.00
05/03/2017	<b>GMH</b> Email to Dutch counsel regarding email with investor victim regarding same.	0:18	540.00	162.00
05/08/2017	<b>GMH</b> Correspondence with Carrie Puccia regarding and	0:12	540.00	108.00
05/09/2017	<b>GMH</b> Email to Jurjen de Korte regarding and .	0:06	540.00	54.00
05/10/2017	<b>GMH</b> Emails to/from Jurjen de Korte regarding and review of	0:12	540.00	108.00
05/15/2017	GMH Emails with Jurjen de Korte regarding and; emails to/from Carrie Puccia regarding; emails with Mr. de Korte regarding.	0:12	540.00	108.00
05/19/2017	<b>GMH</b> Emails to and from Dutch counsel regarding emails with regarding and telephone conference to discuss further.	0:18	540.00	162.00
05/22/2017	GMH Telephone conference with regarding and; conferences with Carrie Puccia and Keri Anderson regarding emails with Dutch counsel regarding .	1:12	540.00	648.00
05/23/2017	GMH Telephone conference with regarding with nsel and .	0:48	540.00	432.00
05/26/2017	GMH Conference with Carrie Puccia regarding and	0:18	540.00	162.00
05/30/2017	GMH Emails from Mr. de Korte regarding and; emails with Keri Anderson and clerk regarding	0:18	540.00	162.00

TOTAL OF NEW CHARGES

24,678.00

TOTAL DUE

\$24,678.00

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Hohmann, Brophy, Shelton & Weiss, PLLC

210 Barton Springs Road, Suite 500

Austin, TX 78734

**BILL TO** 

ProphetMax Management TX

Matter No.: 8133-02 Guy Hohmann,

Receiver for ProphetMax Management

TX

## **INVOICE 1636**

**DATE** 05/31/2017 **TERMS** Net 30

**DUE DATE** 06/30/2017

DATE	ACCOUNT SUMMARY	AMOUNT
12/31/2016	Balance Forward	\$2,700.89
05/31/2017	Payments and credits already applied to this invoice	-5,000.00
	Other payments and credits between 12/31/2016 and 05/31/2017	-2,700.89
	New charges (details below)	9,874.77
	Total Amount Due	\$4,874.77

DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/04/2017	GMH - ProphetMax  Conference with Ryan Shelton regarding  and background information in connection with same.	0:12	658.75	131.75
01/05/2017	GMH - ProphetMax Emails with Ryan Shelton and Carrie Puccia regarding , and order of same.	0:18	658.75	197.63
01/10/2017	GMH - ProphetMax Conference with Carrie Puccia regarding	0:06	658.75	65.88
01/11/2017	GMH - ProphetMax  Emails with regarding  and regarding  emails with Carrie Puccia regarding	0:06	658.75	65.88
01/12/2017	GMH - ProphetMax Internet searches regarding with ; emails with regarding , and ; correspondence with Keri Anderson and Carrie Puccia regarding and .	2:24	658.75	1,581.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/13/2017	GMH - ProphetMax  Lengthy email from investor victim regarding status, reasons for delay, and various other matters; lengthy reply to Pam Pryzbylo; emails to/from prospective Dutch counsel and review and revise ms and voicemails to/from Jim George.	1:12	658.75	790.50
01/13/2017	Retainer for Dutch legal counsel		5,000.00	5,000.00
01/14/2017	GMH - ProphetMax Emails with Keri Anderson and Carrie Puccia regarding and , and ; emails with Dutch counsel (Jurjen de Korte) regarding	0:24	658.75	263.50
	and			
05/08/2017	<b>GMH - ProphetMax</b> Review of email and attachments from Carrie Puccia regarding	0:18	658.75	197.63
05/26/2017	GMH - ProphetMax  Evaluate in connection with and conference with Carrie Puccia regarding review selected cases in connection with same.	2:24	658.75	1,581.00

TOTAL OF NEW CHARGES

9,874.77

TOTAL DUE

\$4,874.77

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Hohmann, Brophy, Shelton & Weiss, PLLC

210 Barton Springs Road, Suite 500

Austin, TX 78734

BILL TO IB Capital

Matter No.: 121-01 IB Capital

## **INVOICE 1633**

**DATE** 05/31/2017 **TERMS** Net 30

**DUE DATE** 06/30/2017

DATE	ACCOUNT SUMMARY	AMOUNT
12/31/2016	Balance Forward	\$2,336.43
	Payments and credits between 12/31/2016 and 05/31/2017	-2,336.43
	New charges (details below)	7,548.62
	Total Amount Due	\$7,548.62

DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/03/2017	CEP Begin draft post-judgment interrogatories and requests for production; teleconference with regarding .	1:36	225.00	360.00
01/03/2017	RTS  Correspondence with team regarding post-judgment discovery and ; conference with Guy Hohmann to discuss same.	0:42	300.00	210.00
01/03/2017	KNA Emails regarding conference call with and consolidating action with ProphetMax matter; emails regarding fee applications and post-judgment discovery.	0:30	140.00	70.00
01/05/2017	RTS  Conference with Carrie Puccia to discuss motion to consolidate and post-judgment discovery; correspondence with Guy Hohmann and Carrie Puccia regarding same.	0:48	300.00	240.00
01/05/2017	<b>CEP</b> Finalize shell instructions and transmit for in-kind preparation for each defendant.	0:18	225.00	67.50
01/10/2017	KNA  Revise post-judgment interrogatories and requests for production to IB Capital and draft same to individual defendants.	0:36	140.00	84.00
01/12/2017	CEP Emails with J. de Korte regarding relevant individuals and conflicts checks.	0:12	225.00	45.00

### Case 1:12-cv-00862-LY Document 112-3 Filed 06/22/17 Page 2 of 6

DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/12/2017	KNA  Confer with Guy Hohmann regarding retaining Dutch counsel to assist with obtaining and transferring seized funds; review emails with Dutch counsel.	0:18	140.00	42.00
01/16/2017	KNA Emails with Dutch co-counsel regarding calendar conference call; emails with same regarding and ; emails regarding Consent Order, defendants' email addresses and Jim George's representation.	0:36	140.00	84.00
01/16/2017	RTS  Correspondence with defense counsel regarding financial information and consent order; correspondence with team regarding conduct legal research regarding  .	2:00	300.00	600.00
01/17/2017	KNA Emails with Dutch co-counsel and defendants regarding compliance with Consent Order; emails with Dutch co-counsel regarding and and .	0:24	140.00	56.00
01/17/2017	RTS  Correspondence with defense counsel regarding need for financial information; correspondence with regarding; conference with Guy Hohmann to discuss proposed release; draft proposed release and assignment.	1:00	300.00	300.00
01/18/2017	RTS Correspondence with defense counsel in Netherlands.	0:18	300.00	90.00
01/19/2017	KNA Emails with Dutch co-counsel regarding and	0:12	140.00	28.00
01/20/2017	CEP Teleconference with Jurjen de Korte regarding in	0:30	225.00	112.50
01/20/2017	KNA Confer with Guy Hohmann regarding Release and Assignment for Defendants.	0:12	140.00	28.00
01/23/2017	KNA Research and	0:24	140.00	56.00
01/24/2017	CEP  Review signed consent order regarding information to be collected from defendants; correspondence with regarding; finalize post-judgment discovery to IB Capital defendants.	3:42	225.00	832.50
01/24/2017	KNA Emails regarding consent order and release and assignment; emails regarding Order on Preliminary Injunction and Defendants' compliance with same.	0:48	140.00	112.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/24/2017	RTS Review emails with Dutch defense counsel; correspondence with team regarding ; conference with Guy Hohmann to discuss ; conduct legal research regarding	1:30	300.00	450.00
01/25/2017	RTS Correspondence with Dutch defense counsel regarding and	0:12	300.00	60.00
01/25/2017	KNA Revise and finalize post-judgment discovery to defendants; email to defendants and counsel; emails regarding same; calendar due date for same.	0:48	140.00	112.00
01/26/2017	RTS Work on an ; correspondence with Guy Hohmann regarding correspondence with Dutch counsel regarding e.	0:30	300.00	150.00
01/26/2017	KNA  Download, review and electronically organize Motion to Withdraw filed by Jim George.	0:06	140.00	14.00
01/31/2017	RTS Exchange emails with Dutch counsel regarding and	0:12	300.00	60.00
01/31/2017	KNA Emails with Dutch co-counsel regarding .	0:12	140.00	28.00
01/31/2017	AT Conference - 01/20/17 conference call with Dutch counsel		3.85	3.85
02/06/2017	RTS  Correspondence with Michel Geurkink regarding his cooperation.	0:12	300.00	60.00
02/07/2017	KNA  Numerous emails to/from Defendant Michel Geurkink regarding post-judgment discovery and documents to be produced pursuant to the Court's Order; email with regarding	0:24	140.00	56.00
02/08/2017	RTS Exchange emails with Dutch counsel and Receiver to .	0:18	300.00	90.00
02/08/2017	KNA Multiple emails with Dutch co-counsel regarding and	0:24	140.00	56.00
02/09/2017	RTS Exchange emails with Dutch counsel regarding and .	0:18	300.00	90.00

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
02/09/2017	KNA Review invoices for HBS and Receiver and redact privileged and work product information; review and revise Sixth Application for Attorneys' Fees; email Carrie Puccia regarding same.	1:30	140.00	210.00
02/12/2017	RTS Correspondence with Dutch counsel regarding documents needed.	0:12	300.00	60.00
02/15/2017	KNA  Multiple emails with Dutch co-counsel regarding ; execute power of attorney and email same to Dutch co-counsel per request; Google translation of emails with prosecutors for context.	0:36	140.00	84.00
02/16/2017	RTS Numerous emails with Dutch counsel.	0:24	300.00	120.00
02/16/2017	KNA Emails with Dutch co-counsel regarding and; confer with Guy Hohmann regarding and; email Original Complaint and exhibits to Dutch co-counsel for	0:36	140.00	84.00
02/17/2017	KNA  Multiple emails regarding , and a ; emails with to ; calendar same.	0:30	140.00	70.00
02/17/2017	RTS Emails with Dutch counsel regarding	0:12	300.00	60.00
02/20/2017	KNA Briefly review discovery responses and email from Michel Geurkink; confer with Carrie Puccia regarding same.	0:18	140.00	42.00
02/21/2017	KNA Email to Dutch co-counsel regarding .	0:06	140.00	14.00
02/22/2017	KNA Emails with Dutch co-counsel regarding including	0:06	140.00	14.00
02/27/2017	KNA Review email from Emad Echadi and Google translate same; emails regarding his account information.	0:12	140.00	28.00
02/28/2017	KNA Emails to/from Dutch co-counsel regarding and information provided by Emad Echadi.	0:12	140.00	28.00

## Case 1:12-cv-00862-LY Document 112-3 Filed 06/22/17 Page 5 of 6

DATE	ACTIVITY	HOURS	RATE	AMOUNT
03/09/2017	KNA Confer with Carrie Puccia regarding and	0:18	140.00	42.00
03/09/2017	RTS Conference with Guy Hohmann regarding and	0:18	300.00	90.00
03/13/2017	KNA  Emails with Dutch co-counsel regarding ; confer with Guy  Hohmann regarding ; email order appointing receiver and motion to approve claims process and related order to Dutch co-counsel.	0:36	140.00	84.00
03/16/2017	KNA Email from Dutch co-counsel regarding with and	0:06	140.00	14.00
03/23/2017	KNA Emails with Dutch co-counsel regarding , ING and .	0:06	140.00	14.00
03/24/2017	RTS Exchange emails with Dutch counsel regarding and .	0:18	300.00	90.00
04/06/2017	KNA Emails to/from Dutch co-counsel regarding and	0:24	140.00	56.00
04/18/2017	KNA Emails to/from Dutch co-counsel; briefly confer with Carrie Puccia regarding same.	0:12	140.00	28.00
04/24/2017	CEP Review incoming letter from J. de Korte regarding and	0:18	225.00	67.50
04/24/2017	KNA Emails with Dutch co-counsel regarding and ; instructions to Kathy Vu to translate Dutch letter.	0:12	140.00	28.00
04/26/2017	KNA Emails regarding and .	0:12	140.00	28.00
04/27/2017	KNA Confer with Guy Hohmann and Carrie Puccia regarding and and plan moving forward.	0:30	140.00	70.00
05/10/2017	CEP Review outgoing letter from Dutch counsel to ING Bank and accompanying email.	0:18	225.00	67.50

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
05/15/2017	KNA  Review and electronically organize letter to ING Bank from Dutch co-counsel and attachments to same; emails regarding same.	0:18	140.00	42.00
05/18/2017	CEP Correspondence with investors; continue draft update regarding new information communicated to and ; research regarding	5:30	225.00	1,237.50
05/18/2017	KNA Email Dutch co-counsel regarding for	0:06	140.00	14.00
05/19/2017	KNA Emails with regarding and calendar same.	0:12	140.00	28.00
05/22/2017	KNA Confer with Guy Hohmann regarding updated information from regarding	0:18	140.00	42.00
05/23/2017	KNA Emails with	0:06	140.00	14.00
05/30/2017	KNA Emails regarding letter to ING Bank and response thereto; review translated version of same; calendar deadline for additional response from ING Bank.	0:12	140.00	28.00
05/31/2017	AT Conference - 05/22/17 conference call with		2.77	2.77

TOTAL OF NEW CHARGES

7,548.62

TOTAL DUE \$7,548.62

#### Case 1:12-cv-00862-LY Document 112-4 Filed 06/22/17 Page 1 of 4

Hohmann, Brophy, Shelton & Weiss, PLLC

210 Barton Springs Road, Suite 500 Austin, TX 78734

**BILL TO** 

ProphetMax Management TX Matter No. 8133-01 ProphetMax Management TX

## **INVOICE 1637**

**DATE** 05/31/2017 **TERMS** Net 30

**DUE DATE** 06/30/2017

DATE	ACCOUNT SUMMARY	AMOUNT
12/31/2016	Balance Forward	\$21,078.92
	Payments and credits between 12/31/2016 and 05/31/2017	-21,078.92
	New charges (details below)	9,954.94
	Total Amount Due	\$9,954.94

DATE	ACTIVITY	HOURS	RATE	AMOUNT
01/03/2017	KNA - ProphetMax  Emails regarding conference call with and with ; investor emails.	0:12	191.25	38.25
01/11/2017	RTS Correspondence with Guy Hohmann and Carrie Puccia regarding and	0:18	300.00	90.00
01/11/2017	KNA - ProphetMax Prepare initial draft of Sixth Fee Application and proposed order; emails regarding same.	0:30	191.25	95.63
01/25/2017	CEP - ProphetMax  Draft fee application and update to court.	3:24	318.75	1,083.75
01/25/2017	RTS Work on for ; phone conference with Carrie Puccia to discuss	0:30	300.00	150.00
01/25/2017	KNA - ProphetMax  Multiple emails regarding and .	0:24	191.25	76.50
01/29/2017	CEP - ProphetMax Finalize substance of fee application and update and transmit same to Guy Hohmann.	5:30	318.75	1,753.13
01/30/2017	CEP - ProphetMax Response to investor regarding status update.	0:12	318.75	63.75
01/31/2017	AT Conference - 01/20/17 conference call with Dutch counsel		3.84	3.84

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
02/03/2017	RTS  Correspondence with Dutch local counsel regarding ; follow-up correspondence with  Dutch defense counsel regarding .	0:18	300.00	90.00
02/07/2017	KNA - ProphetMax Emails with investors regarding status.	0:18	191.25	57.38
02/08/2017	CEP - ProphetMax  Confer with Keri Anderson regarding .	0:12	318.75	63.75
02/08/2017	KNA - ProphetMax  Emails regarding Sixth Application for Attorneys' Fees; briefly review invoices to identify redactions before filing same.	0:24	191.25	76.50
02/09/2017	KNA - ProphetMax  Review invoices for HBS and Receiver and redact privileged and work product information; review and revise Sixth Application for Attorneys' Fees; email Carrie Puccia regarding same.	1:30	191.25	286.88
02/13/2017	KNA - ProphetMax Finalize Sixth Fee Application and exhibits to same; e- file same; download file-stamped copy of same.	0:36	191.25	114.75
02/17/2017	CEP - ProphetMax  Review incoming correspondence from J. de Korte regarding and .	0:24	318.75	127.50
02/20/2017	CEP - ProphetMax  Translate and review incoming financial documents from IB Capital defendants; review spreadsheet including all financial institutions and accounts on notice of Receivership.	2:24	318.75	765.00
02/20/2017	KNA - ProphetMax  Download, review and electronically organize new claim form and supporting documents; upload to Box for claim determination; email team regarding same; emails with Carrie Puccia regarding spreadsheet of financial entities notified when receivership started.	0:42	191.25	133.88
02/21/2017	CEP - ProphetMax Teleconference with regarding and .	0:18	318.75	95.63
02/22/2017	KNA - ProphetMax Investor emails.	0:18	191.25	57.38
02/23/2017	KNA - ProphetMax Investor emails.	0:06	191.25	19.13
02/28/2017	KNA - ProphetMax Emails with investors.	0:06	191.25	19.13
03/01/2017	CEP - ProphetMax  Draft update to investors regarding proceedings in Netherlands.	0:30	318.75	159.38

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DATE	ACTIVITY	HOURS	RATE	AMOUNT
03/02/2017	<b>CEP - ProphetMax</b> Draft individual email update in response to investor.	0:18	318.75	95.63
03/02/2017	KNA - ProphetMax Update website; emails regarding same and filing status report.	0:36	191.25	114.75
03/08/2017	KNA - ProphetMax  Download, review and electronically organize signed  Order granting Sixth Application for attorney's fees; emails regarding same.	0:12	191.25	38.25
03/09/2017	KNA - ProphetMax Emails with investors regarding status.	0:12	191.25	38.25
03/16/2017	KNA - ProphetMax Investor emails.	0:24	191.25	76.50
03/20/2017	KNA - ProphetMax Emails with investors.	0:12	191.25	38.25
04/11/2017	CEP - ProphetMax Draft update to investor regarding status of distribution and proceedings in Netherlands.	0:42	318.75	223.13
04/11/2017	KNA - ProphetMax Investor emails; email with team regarding	0:24	191.25	76.50
04/19/2017	CEP - ProphetMax Address incoming question from investor regarding amounts to be distributed.	0:18	318.75	95.63
04/27/2017	KNA - ProphetMax Confer with Guy Hohmann and Carrie Puccia regarding and and .	0:30	191.25	95.63
05/02/2017	KNA - ProphetMax Confer with Guy Hohmann and Carrie Puccia regarding and and	0:12	191.25	38.25
05/16/2017	CEP - ProphetMax  Contact with to discuss teleconference with to clarify and discuss and of .	0:18	318.75	95.63
05/17/2017	CEP - ProphetMax Attention to administrative availability for	0:30	318.75	159.38
05/18/2017	KNA - ProphetMax Obtain and regarding as ibutions; emails regarding	0:18	191.25	57.38
05/19/2017	CEP - ProphetMax Continue review of and ,	3:00	318.75	956.25

#### Case 1:12-cv-00862-LY Document 112-4 Filed 06/22/17 Page 4 of 4

DATE	ACTIVITY		HOURS	RATE	AMOUNT
05/22/2017	CEP - ProphetMax		0:30	318.75	159.38
	Teleconference with	regarding			
		related to			
	and	; begin revising			
	regarding	and			
05/24/2017	CEP - ProphetMax		1:30	318.75	478.13
	Continue draft update reg	garding			
	í	and .			
05/25/2017	CEP - ProphetMax		2:30	318.75	796.88
	Continue review of claims	s, amounts previously			
	returned to investors, and	d supporting documentation in	1		
	connection with				
	continue draft up	odate.			
05/31/2017	STM		12:00	75.00	900.00
	Claims Process - Adminis	strative			

TOTAL OF NEW CHARGES

9,954.94

TOTAL DUE \$9,954.94

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De Cuserstraat 85a 1081 CN Amsterdam Postbus/PO Box 7902 1008 AC Amsterdam The Netherlands

T: +31 20 5600 601 F: +31 20 5600 503 finance@eversheds-sutherland.nl

VAT number NL8106.18.199.B01

#### Strictly personal and confidential

Attn: Guy Hohmann (US receiver IB Capital) Hohmann, Brophy & Shelton, PLLC 210 Barton Springs Road, Suite #500 Austin, TX 78704 United States of America

Date: 13 February 2017

Invoice number: 20170813

Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection

47365.0001

#### **Invoice**

Please find below our invoice for services rendered in the matter mentioned above during January 2017.

	Amount due	\$ 2,501.81
	Subtotal	\$ 2,501.81
Disbursements		\$ 899.81
Fees		\$ 1,602.00
Description		 Amount

#### **Specification**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Description	Duration	Rate	Amount
Activities Jurjen de Korte	3:36	\$ 445.00	\$ 1,602.00
Disbursements			\$ 899.81
Total			\$ 2,501.81

#### **Details**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Activities Jurjen de Korte

Date	Activity	Description	Duration
13-01-2017	Study documents		0:24
16-01-2017	Study documents	Review consent order and correspondence + mail to contact + mail from Guy Hohmann to defendants and reply	0:54
17-01-2017	Correspondence	Draft to Guy Hohmann	0:24
19-01-2017	Correspondence	E-mail from + study referred to + e-mail to Guy Hohmann re same	0:12
20-01-2017	Telephone	Conference call	0:36
20-01-2017	Correspondence	E-mail to	0:12
25-01-2017	Correspondence	E-mail from Guy Hohmann + call with re same	0:24
26-01-2017	Correspondence		0:06
31-01-2017	Correspondence	E-mails re assignment and complaint by victim	0:24
Total			3:36

#### Disbursements

Date Description		Amount
02-02-2017	Advocaten 01/2017	899.81
Total		\$ 899.81

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De Cuserstraat 85a 1081 CN Amsterdam Postbus/PO Box 7902 1008 AC Amsterdam The Netherlands

T: +31 20 5600 601 F: +31 20 5600 503 finance@eversheds-sutherland.nl

VAT number NL8106.18.199.B01

#### Strictly personal and confidential

Attn: Guy Hohmann (US receiver IB Capital) Hohmann, Brophy & Shelton, PLLC 210 Barton Springs Road, Suite #500 Austin, TX 78704 United States of America

**Date:** 3 March 2017 **Invoice number:** 20171200

Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection

47365.0001

#### **Invoice**

Please find below our invoice for services rendered in the matter mentioned above during February 2017.

	Amount due	\$ 8,499.67
	Subtotal	\$ 8,499.67
Disbursements		\$ 3,438.17
Fees		\$ 5,061.50
Description		 Amount

#### **Specification**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Description	Duration	Rate	Amount
Activities Jurjen de Korte	10:06	\$ 445.00	\$ 4,494.50
Activities Geert Wilts	2:42	\$ 210.00	\$ 567.00
Disbursements			\$ 3,438.17
Total			\$ 8,499.67

#### **Details**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Activities Jurjen de Korte

Date	Activity	Description	Duration
07-02-2017	Correspondence		0:18
08-02-2017	Correspondence	E-mail from + e-mail to Receiver re same + setting up meeting date	0:18
09-02-2017	Correspondence	Re meeting and documentation re representation	0:24
13-02-2017	Correspondence	Study documentation and e-mail of victim + e-mails with Guy Hohmann re	0:24
14-02-2017	Drafting	Authorisation	0:06
14-02-2017	Telephone	Call with in preparation of Thursday meeting	0:06
15-02-2017	Correspondence	E-mail re and	0:12
16-02-2017	Meeting Non-Client	Meeting office and	3:00
16-02-2017	Telephone	Call from Echadi	0:06
16-02-2017	Telephone	Conference call with Guy Hohmann and	0:30
16-02-2017	Study documents	Internet research on	0:24
16-02-2017	Correspondence	E-mail to Echadi with translations of post judgment discovery	0:18
17-02-2017	Study documents	Case law + review initial US complaint	2:30
20-02-2017	Correspondence	E-mails to UK	0:24
22-02-2017	Correspondence	E-mail to + from and to Guy Hohmann re	0:18

23-02-2017	Correspondence	E-mails with		0:12
28-02-2017	Correspondence	E-mail to Guy Hohmann re email of	and	0:36
Total				10:06

#### Activities Geert Wilts

Date	Activity	Description	Duration
14-02-2017	Drafting	Draft	0:30
16-02-2017	Drafting	Draft translations/summaries of Echadi requests	2:12
Total			2:42

#### Disbursements

Date	Description	Amount
01-03-2017	- 2/2017	3,438.17
Total		\$ 3,438.17

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De Cuserstraat 85a 1081 CN Amsterdam Postbus/PO Box 7902 1008 AC Amsterdam The Netherlands

T: +31 20 5600 601 F: +31 20 5600 503 finance@eversheds-sutherland.nl

VAT number NL8106.18.199.B01

#### Strictly personal and confidential

Attn: Guy Hohmann (US receiver IB Capital) Hohmann, Brophy & Shelton, PLLC 210 Barton Springs Road, Suite #500 Austin, TX 78704 United States of America

**Date:** 26 April 2017 **Invoice number:** 20172149

Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection

47365.0001

#### **Invoice**

Please find below our invoice for services rendered in the matter mentioned above during 1 March 2017 to 6 April 2017.

Description		Amount
Fees		\$ 578.50
Disbursements		\$ 3,131.68
	Subtotal	\$ 3,710.18
	Amount due	\$ 3,710.18

#### **Specification**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Description	Duration	Rate	Amount
Activities Jurjen de Korte	1:18	\$ 445.00	\$ 578.50
Disbursements			\$ 3,131.68
Total			\$ 3,710.18

#### **Details**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Activities Jurjen de Korte

Date	Activity	Description		Duration
13-03-2017	Correspondence			0:36
14-03-2017	Correspondence			0:12
15-03-2017	Correspondence	Call from re	+ mail to Guy Hohmann	0:12
29-03-2017	Correspondence	Review draft le	ter to	0:06
04-04-2017	Correspondence			0:06
06-04-2017	Correspondence			0:06
Total				1:18

#### Disbursements

Date	Description	Amount
20-03-2017	J. de Korte km's dd 16-02-2017	21.22
05-04-2017	Advocaten - 3/2017	3,110.46
Total		\$ 3,131.68

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De Cuserstraat 85a 1081 CN Amsterdam Postbus/PO Box 7902 1008 AC Amsterdam The Netherlands

T: +31 20 5600 601 F: +31 20 5600 503 finance@eversheds-sutherland.nl

VAT number NL8106.18.199.B01

#### Strictly personal and confidential

Attn: Guy Hohmann (US receiver IB Capital) Hohmann, Brophy & Shelton, PLLC 210 Barton Springs Road, Suite #500 Austin, TX 78704 United States of America

**Date:** 24 May 2017 **Invoice number:** 20172509

Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection

47365.0001

#### **Invoice**

Please find below our invoice for services rendered in the matter mentioned above during 7 April 2017 to 24 May 2017.

Description		 Amount
Fees		\$ 4,346.00
Disbursements		\$ 1,411.29
	Subtotal	\$ 5,757.29
	Amount due	\$ 5,757.29

#### **Specification**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Description	Duration	Rate	Amount
Activities Casper Rooijakkers	2:30	\$ 260.00	\$ 650.00
Activities Geert Wilts	17:36	\$ 210.00	\$ 3,696.00
Disbursements			\$ 1,411.29
Total			\$ 5,757.29

#### **Details**

## Matter: Hohmann (US receiver IB Capital) / Geurkink and Echadi - Netherlands collection (47365.0001)

Activities Casper Rooijakkers

Date	Activity	Description	Duration
08-05-2017	Meeting internal	Geert Wilts (re )	1:00
09-05-2017	Study documents	review letter; internal meeting Geert Wilts	1:30
Total			2:30

#### Activities Geert Wilts

Date	Activity	Description	Duration
25-04-2017	Study documents	Study file for	1:48
03-05-2017	Drafting	Draft and resea	3:24 arch re
04-05-2017	Drafting	Draft and resea	3:18 arch re
05-05-2017	Drafting	Draft and resea	2:24 arch re
08-05-2017	Drafting	Draft ; consultat re	3:24 tion CR and research
09-05-2017	Drafting	Draft ; consultat	2:54 tion CR re
10-05-2017	Correspondence	Issue letter to ING	0:24
Total			17:36

Disbursements

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Date	Description	Amount
02-05-2017	Advocaten werkzhdn t/m 04/2017	1,391.38
15-05-2017	- 10-05/2017	19.91
Total		\$ 1,411.29

# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

UNITED STATES COMMODITY	§	
FUTURES TRADING COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. A-12-CV-0862-LY
	§	
SENEN POUSA, INVESTMENT	§	
INTELLIGENCE CORPORATION,	§	
DBA PROPHETMAX MANAGED FX,	§	
JOEL FRIANT, MICHAEL DILLARD, and	§	
ELEVATION GROUP, INC.,	§	
	§	
Defendants.	§	

# ORDER GRANTING RECEIVER'S UNOPPOSED MOTION FOR JOINT ADMINISTRATION OF RECEIVERSHIP ASSETS AND APPROVAL OF SEVENTH FEE APPLICATION

Before the Court is the Receiver's Unopposed Motion for Joint Administration of Receivership Assets and Approval of Seventh Fee Application and Brief in Support ("Motion"). Having considered the Motion, the evidence presented, and arguments of counsel, if any, the Court finds that the time spent, services performed, hourly rates charged, and expenses incurred by the Receiver and his retained professionals were reasonable and necessary for the Receiver to perform his Court-ordered duties. The Court further finds that the ProphetMax Receivership Estate and related IB Capital Receivership Estate should be jointly administered. The Court concludes that the Motion should be, and is hereby, GRANTED.

It is therefore ORDERED that payment for interim fees and expenses of \$29,552.77 to the Receiver, interim fees and expenses of \$17,503.56 to the law firm of Hohmann, Brophy & Shelton, PLLC and interim fees and expenses of \$20,468.95 to the law firm of Eversheds B.V. for services

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rendered to the ProphetM	ax Receivership Es	state and IB Capital Receivership Esta	ite during the
Seventh Fee Period is appr	roved.		
SIGNED this	day of	, 2017.	
		LEE YEAKEL UNITED STATES DISTRICT	JUDGE