

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

UNITED STATES COMMODITY  
FUTURES TRADING COMMISSION,

*Plaintiff,*

v.

SENEN POUSA, INVESTMENT  
INTELLIGENCE CORPORATION,  
*DBA* PROPHETMAX MANAGED FX,  
JOEL FRIANT, MICHAEL DILLARD, and  
ELEVATION GROUP, INC.,

*Defendants.*

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Civil Action No. A-12-CV-0862-LY

**RECEIVER'S MOTION FOR APPROVAL OF THIRTEENTH 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 Motion for Approval of Thirteenth Fee Application, and Brief in Support (“Motion”) covering January 1, 2022, through March 31, 2022, (hereinafter “the Fee period”). The Receiver believes this Motion and brief in support demonstrate the Receiver’s fees and expenses were reasonable and necessary when considering the last three-month time period covered by the application and the results achieved by the Receiver during the Fee period. This fee application can be divided into two categories: (1) The ING Settlement and (2) On-going recovery efforts.

**LEGAL STANDARD**

The Receiver has previously briefed the legal standards for evaluating the reasonableness and necessity of professional fees and expenses. The Court has consistently evaluated the Receiver's fee applications using the factors set forth by the Fifth Circuit in *Johnson v. Georgia*

*Highway Express, Inc.*, 488 F.2d 714, 717-19(5th Cir.1974).<sup>1</sup> The Court in the Stanford Receivership observed that this particular receivership is essentially equivalent to a Chapter 7 bankruptcy. *See* Civ. Action No. 3;09-cv-072 4, Doc. 1093 at 39 ("Ultimately, this particular receivership is the essential equivalent of a Chapter 7 bankruptcy. While a different federal statutory scheme - one that is looser and more flexible than the Bankruptcy Code-is at work, the overall purposes and objectives of the Stanford receivership track the overall purposes and objectives present in the Bankruptcy Code and a Chapter 7 proceeding."). Therefore, the factors governing the analysis of requests for professional fees and expenses incurred in the bankruptcy context are also relevant to the Court's valuation of the Receiver's fee applications.

Under 11 U.S.C. § 330(a)(3), in examining a request for fees and expenses to be awarded to an examiner, trustee under chapter 11, or other professional in the context of a bankruptcy, a court considers, in addition to the amounts involved and results obtained, "the nature, the extent, and the value of such services, taking into account all relevant factors, including (A) the time spent on such services; (B) the rates charged for such services; (C) whether the services were necessary to the administration of, or beneficial at the time at which the service was rendered toward the completion of, a case under [11 U.S.C. § 330(a)(3)]; (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance,

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<sup>1</sup> Under *Johnson*, courts consider the following factors in determining whether the time spent, services performed, expenses incurred, and hourly rates charged are reasonable and necessary: (1) the time and labor required for the litigation; (2) the novelty and complication of the issues; (3) the skill required to properly litigate the issues;(4) whether the attorney was precluded from other employment by the acceptance of this case; (5) the attorney's customary fee; (6) whether the fee is fixed or contingent; (7) whether the client or the circumstances-imposed time limitations; (8) the amount involved and the results obtained; (9) the experience, reputation, and ability of the attorney; (10) the "undesirability" of the case; (11) the nature and length of the attorney-client relationship; and (12) awards in similar cases. *Id.* at 717-19. In applying these factors, "the district court must explain the findings and the reasons upon which the award is based. However, it is not required to address fully each of the 12 factors." *Curtis v. Bill Hanna Ford, Inc.*, 822 F.2d 549, 552 (5th Cir. 1987) (citation omitted); *see also SEC v. W.L. Moody & Co., Bankers (Unincorporated)*, 374 F. Supp. 465,480 (S.D. Tex. 1974), *aff'd*, *SEC v. W.L. Moody & Co.*, 519 F.2d 1087 (5th Cir. 1975); *SEC v. Mega. fund Corp.*, No. 3:05-CV-1328-L, 2008 WL 2839998, at \*2 (N.D. Tex. June 24, 2008); *SEC v. Fifth Ave. Coach Lines, Inc.*, 364 F. Supp. 1220, 1222 (S.D.N.Y. 1973).

and nature of the problem, issue, or task addressed; (E) with respect to a professional person, whether the person is board certified or otherwise has demonstrated skill and experience in the bankruptcy field; and (F) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under [11 U.S.C. § 330(a)(3)]." 11 U.S.C. § 330(a)(3).

## **I. ING SETTLEMENT**

As noted in previous reports, the Receiver has entered into a settlement agreement with ING Bank. The ING settlement will permit the Receiver to make distributions for pro rata restitution of approximately 36 percent of the net cash losses of the investors. The total approved claims are \$23,614,363.53

The Receiver is presently waiting for the Court to schedule a hearing date on the Motion to Approve the Settlement with ING and to rule upon a Motion to Approve Notice Procedures.

## **II. OTHER RECOVERY EFFORTS**

### **A. EUR 986,498.61– New Recovery - \$1.2 million in Cyprus**

On March 16, 2022, the district court of Nicosia ordered the Cyprus Attorney General's office to transfer EUR 986,498.61; they required the funds be wired to a bank in the Netherlands. On April 14, 2022, the Receiver's Dutch counsel received these funds. On April 20, 2022, the Receiver's Dutch counsel wired the funds to the Receivership estate account. Within the next 30-60 days, the Receiver also expects to receive an additional wire transfer of approximately EUR \$120,000. Once the Receiver receives that amount, the Cypriot recovery efforts will be exhausted.

Due to the pending ING settlement agreement, ING's terms require no commingling of funds, the newly recovered funds will be transferred to the Receivership Estate account and will be distributed to the investor's claimants in a separate distribution. The Receiver will be submitting

a Sealed Second Amended Unopposed Motion to Approve Payment of Retainers and Incur Travel Expenses [Dkt. #228] The reason for the amended filing is because it will no longer necessary to pay Cypriot counsel a retainer.

**B. EUR 2.5 million in the Netherlands at ING Bank – New recovery –  
USD \$2,700,350**

Recently, the Receiver was informed by the Dutch Public Prosecutor’s Office (the “DPPO”) that it met with counsel for ING Bank to discuss a repatriation of these funds to the receivership estate. As a result of that meeting, the DPPO communicated to the Receiver that ING agreed to forward these funds to the Receiver. As previously mentioned above, once the Receiver receives those funds, he will be filing a Sealed Second Amended Unopposed Motion to Approve Payment of Retainers and Incur Travel Expenses [Dkt. #228]. The reason for the second amended unopposed filing is because it will no longer be necessary to pay the Receiver’s United Kingdom (“UK”) counsel a retainer to assist in having Riknik and IB Capital reinstated to the UK’s registrar of companies.

**C. \$7.2 million in Slovakia**

Approximately 45 days ago, the DPPO informed the Receiver they are working with Slovakian law enforcement authorities to have approximately \$7.2 million transferred from an account in the name of Riknik & Sons, Ltd. transferred to the Receivership estate.

**D. \$4.5 million in Morocco at Banque Populaire**

As previously reported, the Receiver obtained assignment documents from Essadia Moutaouakkil for a bank account in her name which is presently on deposit in Morocco at Banque Populaire. The Receiver must execute the assignment documents before a notary public in the offices of the Moroccan Consulate in New York. The Receiver filed a sealed motion with the Court

[Dkt. #228] seeking the Court's permission to incur fees and travel expenses associated with this trip. That motion remains outstanding.

**E. \$437,000 in Morocco**

The Receiver was recently been advised by the DPPO that Emade Echade and Rabiaa Moutaouakkil agreed to execute a power of attorney authorizing Banque Populaire to transfer funds from two accounts at Banque Populaire in the accounts of Mr. Echade and Ms. Moutaouakkil, in the above captioned amount. The Receiver has followed up with counsel for Banque Populaire on this issue who in turn indicated he would be liaising with Banque Populaire.

**CONCLUSION AND PRAYER FOR RELIEF**

On April 25, 2022, the Receiver filed a Motion for Entry of Final Judgment for the Court's approval in related cause number A-19-CV-930-LY (the "2019 matter") [Dkt. #44]. It is the Receiver's intent to close the 2019 matter. If there is a need for the Court's further assistance in connection with the 2019 matter, it will be reopened under Civil Action No. A-12-CV-0862-LY.

The Receiver requests the Court to approve the Receiver's Thirteenth Fee Application totaling \$68,114.81 for three invoices. The thirteenth fee period includes time expended by the Receiver for the three-month time period between January 1, 2022, and March 31, 2022. Attached as Exhibit A to this Motion for Approval of Thirteenth Fee Application and Brief in Support are the redacted three-monthly invoices detailing all the Receivers time entries covering January 1, 2022, through March 31, 2022.

The Receiver requests the Court enter the proposed Order filed with this Motion to approve the payment of interim fees of \$68,114.81 to the Receiver for the Prophet Max Receivership Estate and IB Capital Receivership Estate during the Thirteenth Fee Period, which were both reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

Respectfully submitted,  
GUY HOHMANN

By: /s/ Guy Hohmann

Guy Hohmann  
State Bar No. 09813100  
guyh@hohmannlaw.com  
114 West 7<sup>th</sup> Street  
Suite 1100  
Austin, Texas 78701  
(512) 495-1438

**RECEIVER FOR THE PROPHETMAX AND  
IB CAPITAL RECEIVERSHIP ESTATES**

**CERTIFICATE OF CONFERENCE**

The Receiver conferred with Timothy Mulreany, counsel for the CFTC, who stated the CFTC does not take a position on the Motion nor the relief sought herein.

/s/ Guy Hohmann

Guy Hohmann

**CERTIFICATE OF SERVICE**

On April 25, 2022. 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/ Guy Hohmann

Guy Hohmann



## The Hohmann Law Firm

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 114 West 7th Street, Suite 1100  
 Austin  
 Texas  
 Guyh@hohmannlaw.com  
 www.hohmannlaw.com  
 O: 5125519808

## INVOICE

Number	1228
Issue Date	1/1/2022
Due Date	1/31/2022
Email	guyh@hohmannlaw.com

### Bill To:

Guy Hohmann Receiver for ProphetMax and IB Capital  
 114 West Seventh Street  
 Suite 1100  
 Austin, Texas 78701  
 O: 512-495-1438

### Time Entries

Time Entries	Rate	Hours	Sub
GMH-RCVR 1/3/2022 Review and revise Motion to Approve Twelfth Fee Application, email to my Cyprus counsel regarding his attempts to communicate with the Cyprus Attorney General's Office, Email from my Moroccan counsel regarding [REDACTED], emails from Emed Echadi regarding his recent telephone conference with my Moroccan counsel regarding needed paperwork, email my Moroccan counsel [REDACTED].	\$658.75	2.60	\$1,712.75
GMH-RCVR 1/4/2022 Email from my Cyprus counsel regarding [REDACTED], email to my Cyprus counsel [REDACTED], review email from alleged joint investor regarding joint investment with deceased partner, review various articles regarding death of approved investor and appointment of estate representative, email with estate representative regarding same, review and revise Twelfth Fee Application and Third Motion to Withdraw Previous Motion and email with Tim Mulreany regarding same.	\$658.75	6.30	\$4,150.13
GMH-RCVR 1/5/2022 Review and Revise Twelfth Fee Application and proposed order in connection with same.	\$658.75	0.70	\$461.13
GMH-RCVR 1/6/2022 Emails with Jamie Vicha regarding copy of Twelfth Fee Application (Travel to courthouse at no charge)	\$658.75	0.10	\$65.88
GMH-RCVR 1/10/2022 Conference with Ryn Hohmann regarding [REDACTED].	\$658.75	0.20	\$131.75

Time Entries	Rate	Hours	Sub
GMH-RCVR 1/12/2022 Telephone conference with Emed Echadi regarding his recent telephone conferences with Banque Populaire, his lawyer and Rachid Benzakour [REDACTED] [REDACTED] email from Rachid Benzakour regarding [REDACTED] [REDACTED] email with Australian counsel representing the estate [REDACTED] telephone conference with Emed Echadi regarding his recent meeting with Banque Populaire.	\$658.75	1.60	\$1,054.00
GMH-RCVR 1/13/2022 Lengthy email exchange with the DPPO regarding wire instructions for repatriation of funds in Slovakia, Morocco, Cyprus and Amsterdam and various other matters, review lengthy email from investor claiming an interest in deceased investor's claim and begin review of a significant number of attachments to his email, email to the decedent's estate representative regarding same.	\$658.75	4.20	\$2,766.75
GMH-RCVR 1/14/2022 Continue review of documents from investor claiming an interest in deceased investor's claim, email with deceased investor's estate representative regarding same and conference call next week, telephone conference with Kathryn Baffes regarding hearing date on Motion to Approve Settlement, list of pending motions and consent to magistrate, conference with Ryn Hohmann regarding [REDACTED], review and prepare memorandum to Judge Yeakel discussing pending motions and email to Judge Yeakel regarding same.	\$658.75	5.60	\$3,689.00
GMH-RCVR 1/15/2022 Continuing reviewing documents from alleged investor [REDACTED] and compare to documents submitted by deceased investor, [REDACTED] Review of transfers to and [REDACTED] [REDACTED] and ING, review of materials from [REDACTED], [REDACTED] claim determination files, email to [REDACTED] regarding recent request for documents reflecting sale of his 50% interest in [REDACTED]	\$658.75	2.80	\$1,844.50
GMH-RCVR 1/16/2022 Email from [REDACTED] regarding requested sale documents and begin review of same email to counsel for [REDACTED]	\$658.75	0.80	\$527.00
GMH-RCVR 1/17/2022 Complete review of additional materials received from [REDACTED], review and revise [REDACTED] timeline and list of additional questions, conference with Ryn Hohmann regarding [REDACTED], prepare for and telephone conference with counsel for trustee of [REDACTED] estate, email from and to Moroccan counsel regarding [REDACTED], email to all counsel regarding [REDACTED] to Judge Yeakel regarding same, email to Dennis Roossien regarding [REDACTED]	\$658.75	5.80	\$3,820.75
GMH-RCVR 1/18/2022 Prepare lengthy email to [REDACTED] and the independent administrator of [REDACTED] (and her counsel) discussing documents [REDACTED] forwarded for my review, the number and source of wire transfer from ING's records and my intentions going forward from on approved claims perspective, review and revise status report, review and revise proposed response to investor regarding taxation of payments and other issues.	\$658.75	4.60	\$3,030.25
GMH-RCVR 1/19/2022 Email with my US counsel (Dennis Roossien) regarding [REDACTED], email from Mr. Echadi's new Moroccan counsel regarding steps necessary to have funds repatriated.	\$658.75	0.40	\$263.50
GMH-RCVR 1/20/2022 Email with my US counsel regarding [REDACTED].	\$658.75	0.30	\$197.63



Time Entries	Rate	Hours	Sub
GMH-RCVR 1/21/2022 Review and Revise timelines and email to [REDACTED] and [REDACTED] counsel, conference with Ryn Hohmann regarding [REDACTED], review and revise recalculated claims for [REDACTED] estate and [REDACTED] email to [REDACTED] and [REDACTED] counsel regarding my review of records from [REDACTED] and ING wires from [REDACTED]	\$658.75	3.80	\$2,503.25
GMH-RCVR 1/24/2022 Emails from and to my Cypriot counsel regarding [REDACTED], emails from and to the DPPO in response to my most recent email regarding status of other frozen funds and timing of repatriation, emails from and to ING's counsel regarding settlement, email from the DPPO and obtaining frozen funds in IB Capital and Maverick accounts, email from investors with attached correspondence from the DPPO, email from and to my Hungarian counsel regarding [REDACTED], voicemail from and telephone conference with investor victim regarding recent letters he received from the DPPO and status of repatriation efforts, email from investor [REDACTED] regarding my recent email and email to [REDACTED] executor regarding same.	\$658.75	6.20	\$4,084.25
GMH-RCVR 1/25/2022 Review and revise Status Report, review email from ING's counsel regarding funds in IB Capital and Maverick Account, telephone conference with investor regarding recently received letters from the DPPO and status of repatriation efforts, emails with ING's counsel regarding excerpt from status report regarding settlement, emails with Dennis Roossien regarding [REDACTED], emails with my Hungarian counsel regarding [REDACTED].	\$658.75	4.80	\$3,162.00
GMH-RCVR 1/26/2022 Review email from investor regarding his purported interest in a deceased investor's claim and review of numerous documents transmitted from investor purportedly in support of same, prepare email to purported investor with a copy to deceased investor's representatives, review emails from investors regarding DPPO correspondence.	\$658.75	3.20	\$2,108.00
GMH-RCVR 1/27/2022 Email to the DPPO regarding recently received emails from investors questioning their recent correspondence, sale of real estate in Morocco and timing of repatriation of Slovakian funds.	\$658.75	0.40	\$263.50
GMH-RCVR 1/28/2022 Emails to and from the DPPO regarding timing of repatriations of Slovakian funds and new person going forward.	\$658.75	0.30	\$197.63
GMH-RCVR 1/31/2022 Review of email from ING's counsel regarding their suggested revision to the excerpt from the status report, Final revision to status report, emails from and to multiple investors regarding recent correspondence from the DPPO, status of repatriation efforts and various other matters, emails with ING's counsel regarding funds in IB Capital and Maverick accounts.	\$658.75	3.30	\$2,173.88
<b>Time Entries Total</b>		<b>58.00</b>	<b>\$38,207.53</b>

Total (USD)	\$38,207.53
Paid	\$0.00
Balance	\$38,207.53

Terms & Conditions

Net 30



## The Hohmann Law Firm

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 114 West 7th Street, Suite 1100  
 Austin  
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 Guyh@hohmannlaw.com  
 www.hohmannlaw.com  
 O: 5125519808

## INVOICE

Number	1227
Issue Date	2/1/2022
Due Date	2/28/2022
Email	guyh@hohmannlaw.com

### Bill To:

Guy Hohmann Receiver for ProphetMax and IB Capital  
 114 West Seventh Street  
 Suite 1100  
 Austin, Texas 78701  
 O: 512-495-1438

### Time Entries

Time Entries	Rate	Hours	Sub
GMH-RCVR 2/1/2022 Email from the DPPO regarding translated Geurkink verdict and angry email from investor and whether they fall within the Receivership. Email with my Cypriot counsel and emails with the DPPO regarding same and Randius, emails with my Dutch counsel regarding same.	\$658.75	1.40	\$922.25
GMH-RCVR 2/2/2022 Telephone conference with Emade Echadi regarding his conference with the Moroccan police regarding release of funds, status of his attempts to sell the real estate, and further communications with the DPPO.	\$658.75	0.40	\$263.50
GMH-RCVR 2/3/2022 Review and revise lengthy proposed response to investor with numerous questions and conference with Ryn Hohmann regarding same, and review of source materials regarding amounts of frozen funds.	\$658.75	1.30	\$856.38
GMH-RCVR 2/7/2022 Email from and to ING's counsel regarding transfer of funds in Maverick and IB Capital account and Motion to Clarify.	\$658.75	0.30	\$197.63
GMH-RCVR 2/9/2022 Emails with Moroccan counsel regarding judicial [REDACTED], emails from and to investor victims regarding status.	\$658.75	0.40	\$263.50
GMH-RCVR 2/12/2022 Telephone conference with investor victim regarding status.	\$658.75	0.20	\$131.75
GMH-RCVR 2/14/2022 Review and revise assignment agreements for Emad Echade and Rabiaa Moutaouakkil and review of Banque Populaire accounts, conference with Ryn Hohmann regarding same, telephone conference with translation company regarding same.	\$658.75	1.80	\$1,185.75

Time Entries	Rate	Hours	Sub
GMH-RCVR 2/15/2022 Prepare Renunciation Agreements for Emade Echade and Rabiaa Moutaouatakkil, review and revise assignment documents, emails with Mr. Echade regarding passport for Ms. Moutaouakkil, emails to the DPPO regarding timing of distribution of Riknik funds and Randius funds.	\$658.75	3.20	\$2,108.00
GMH-RCVR 2/21/2022 Review and revise assignment documents for Banque Populaire accounts of Emade Echade and Rabiaa Moutaouakkil and conference with Ryn Hohmann regarding same.	\$658.75	0.60	\$395.25
GMH-RCVR 2/23/2022 Emails with Judge Yeakel's Court regarding upcoming hearing, emails with Tim Mulreany regarding pre-hearing status conference, conference with Ryn Hohmann and Tyler Cunningham regarding [REDACTED].	\$658.75	0.60	\$395.25
GMH-RCVR 2/24/2022 Review of all pending motions in preparation for upcoming hearing, emails with Tim Mulreany regarding same and other possible aspects of hearing, telephone conference with Mr. Mulreany regarding same, review of previous emails with the DPPO and follow-up emails regarding timing of release of Slovakian funds, emails with ING's counsel regarding previous instructions from the DPPO to release Maverick and IB Capital funds, necessity of restoration proceedings and upcoming hearing, prepare for outline of oral arguments for pending motions.	\$658.75	5.80	\$3,820.75
GMH-RCVR 2/25/2022 Email from ING's counsel regarding IB Capital and Maverick funds, further preparation for upcoming hearing regarding all 15 pending motions and participate in same, telephone conference with Tim Mulreany regarding hearing, follow-up activities, emails with my US and Dutch counsel regarding [REDACTED].	\$658.75	3.80	\$2,503.25
GMH-RCVR 2/28/2022 Telephone conference with Dennis Roossien regarding [REDACTED].	\$658.75	0.30	\$197.63
<b>Time Entries Total</b>		<b>20.10</b>	<b>\$13,240.89</b>

Total (USD)	\$13,240.89
Paid	\$0.00
Balance	\$13,240.89

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## INVOICE

Number	1229
Issue Date	3/1/2022
Due Date	3/31/2022
Email	guyh@hohmannlaw.com

### Bill To:

Guy Hohmann Receiver for ProphetMax and IB Capital  
114 West Seventh Street  
Suite 1100  
Austin, Texas 78701  
O: 512-495-1438

### Time Entries

Time Entries	Rate	Hours	Sub
GMH-RCVR 3/1/2022 Emails from Dennis Roossien regarding [REDACTED] conference with Ryn Hohmann regarding same, emails with Tim Mulreany regarding same, emails with my UK counsel regarding [REDACTED].	\$658.75	3.40	\$2,239.75
GMH-RCVR 3/2/2022 Review and revise Order on Notice Motion and emails with Ms. Baffes regarding same, Motions to Seal and Pay Administrative expenses and updated status report, review and revise Motion to Pay Administrative Expenses and proposed Order in connection with same.	\$658.75	3.80	\$2,503.25
GMH-RCVR 3/3/2022 Review and revise status report, Motion to Seal and proposed Order, Motion to Pay Retainers and Incur Travel Expenses and proposed Order in connection with same, emails with Ms. Baffes regarding same, telephone conference with district clerk's office regarding total number of pages.	\$658.75	5.30	\$3,491.38
GMH-RCVR 3/8/2022 Emails from and to my Moroccan counsel regarding [REDACTED], lengthy email exchange with investor regarding summary of possible funds to be repatriated, emails from and to investors regarding prospect for future recoveries.	\$658.75	1.60	\$1,054.00
GMH-RCVR 3/9/2022 Prepare Word document in response to a recent investor inquiry regarding a summary of possible funds to the repatriated and/or distributed, emails with my UK counsel regarding next steps in repatriation process and wire transfer to his firm of outstanding balances, emails from and to investors regarding status of repatriation efforts.	\$658.75	2.40	\$1,581.00
GMH-RCVR 3/10/2022 Review and revise Echadi Banque Populaire documents, email same to Mr. Echadi.	\$658.75	1.10	\$724.63

Time Entries	Rate	Hours	Sub
GMH-RCVR 3/14/2022 Review and revise document requested by investor claimant setting forth potential recovery amounts and conference with Ryn Hohmann regarding same and email to investor.	\$658.75	0.80	\$527 00
GMH-RCVR 3/17/2022 Emails from and to investors regarding status and various other matters, conference with Ryn Hohmann regarding [REDACTED] and review of source documents and ING wires to determine correct loss amounts.	\$658.75	1.80	\$1,185.75
GMH-RCVR 3/18/2022 Emails from and to my Cypriot counsel regarding [REDACTED].	\$658.75	0.10	\$65 88
GMH-RCVR 3/22/2022 Email exchanges with the DPPO regarding proposed power of attorney over Mr. Echadi's bank account in Morocco, email from my Cypriot counsel regarding [REDACTED] and review of same, email to my Dutch counsel regarding [REDACTED].	\$658.75	1.40	\$922 25
GMH-RCVR 3/24/2022 Email to Banque Populaire's counsel regarding assignment of Power of Attorney over Emade Echadi's account in favor of me to allow for repatriation of funds.	\$658.75	0.40	\$263 50
GMH-RCVR 3/28/2022 Review and revise Summary of Possible Funds to be returned document to incorporate Cyprus developments, email to Tim Mulreany regarding same and May hearing, email to Judge Yeakel's clerk regarding same.	\$658.75	1.40	\$922 25
GMH-RCVR 3/29/2022 Email to the DPPO regarding status of Riknik funds and my email to Banque Populaire's counsel, email from the DPPO regarding IB Capital and Maverick account balances, email to the DPPO regarding same, review and revise Summary of Possible Funds to be returned document.	\$658.75	1.20	\$790 50
GMH-RCVR 3/30/2022 Email from the DPPO regarding Maverick and IB Capital account balances, email with my UK counsel regarding [REDACTED], emails with Dennis Roossien and Tim Mulreany regarding hearing dates.	\$658.75	0.60	\$395 25
	<b>Time Entries Total</b>	<b>25.30</b>	<b>\$16,666.39</b>

Total (USD)	\$16,666.39
Paid	\$0.00
Balance	\$16,666.39

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Net 30

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

UNITED STATES COMMODITY  
FUTURES TRADING COMMISSION,

*Plaintiff,*

v.

SENEN POUSA, INVESTMENT  
INTELLIGENCE CORPORATION,  
*DBA* PROPHETMAX MANAGED FX,  
JOEL FRIANT, MICHAEL DILLARD, and  
ELEVATION GROUP, INC.,

*Defendants.*

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Civil Action No. A-12-CV-0862-LY

**ORDER GRANTING RECEIVER'S  
MOTION FOR APPROVAL OF THIRTEENTH APPLICATION**

Before the Court is the Receiver's Motion for Approval of Thirteenth Fee Application and Brief in Support ("Motion"), covering the three-month time period from January 1, 2022, through March 31, 2022. Having considered the Motion, the evidence presented, and arguments of counsel, if any, the Court finds the time spent, services performed, hourly rates charged, and expenses incurred by the Receiver were reasonable and necessary for the Receiver to perform his Court-ordered duties. The Court concludes the Motion should be, and is hereby, GRANTED.

It is therefore ORDERED that payment for interim fees and expenses of \$68,114.81 to the Receiver for services rendered to the ProphetMax Receivership Estate and IB Capital Receivership Estate during the Thirteenth Fee Period is approved.

SIGNED this 14th day of June, 2022.

  
\_\_\_\_\_  
LEE YEAKEL  
UNITED STATES DISTRICT JUDGE