



Their additional focus included analyzing documents as it related to Hoover Reality Trading Group Limited incorporated in the Seychelles and provide a basic financial accounting of those funds to assist the Receiver with possible additional recovery efforts.

Total fees and expenses for their most recent July invoice total is EUR €3,300.00 (USD 3,296.61)<sup>1</sup> and for their August invoice total is EUR €1092.00 (USD 1,090.95)<sup>2</sup>.

## **II. Munsch, Hardt**

The Munsch Hardt firm's time in June and July related primarily in continuing to assist the Receiver with communicating foreign recovery efforts, communications with the Receiver regarding ING developments and pending settlement. Munsch, Hardt reviewed correspondence from the DPPO regarding Morocco and discussed possible next steps as well as assisted in obtaining translation of power of attorney in French.

In the month of September, Dennis Roossien from the Munsh Hardt firm continued to receive updates regarding develops in Morocco. Prior to the hearing, conferred with the Receiver and the CFTC regarding the hearing on September 12, 2022. The Receiver's counsel traveled to Austin from Dallas to attend the hearing as well as communicate with ING's counsel regarding the Court's requested modifications to the settlement procedures.

Total fees and expenses for their most recent invoices for their fee note for June is \$1,368.50, their July invoice total is \$660.50, their August invoice total is \$238.00 and their September invoice is \$6,347.21<sup>3</sup>. Their invoices total \$8673.71.

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<sup>1</sup> XE: Convert EUR/USD (September 8, 2022). Retrieved from <https://www.xe.com/currencyconverter/convert/?Amount=3300&From=EUR&To=USD>

<sup>2</sup> XE: Convert EUR/USD (September 8, 2022). Retrieved from <https://www.xe.com/currencyconverter/convert/?Amount=1092&From=EUR&To=USD>

<sup>3</sup> The Munch Hardt September invoice includes hotel and meals totaling \$397.21.

### **III. Senior Paralegal**

The senior paralegal's primary activities for the months of May through September of 2022 continued to focus on correspondence with investors answering their claim questions, and providing status updates. She also validated or updated their contact information where applicable and updated the investor spreadsheet and monitored the Receivership email box daily for general investor inquiries.

The senior paralegal assisted the Receiver with revising and editing numerous documents as they related to the status report, interim status report and other court documents and assisted with the preparation of uploading all the documents to the electronic CM/ECF PACER Court system.<sup>4</sup>

Additional focus for the months of May through September included assisting the Receiver with preparation for the ING Settlement hearing held on September 12, 2022. She spent lengthy amount of time with DocuSign and with the distribution agent the Receiver is proposing to use to better understand their processes. She participated in on-line self-help videos offered by DocuSign to learn how to create on-line templates including W-9 forms for investors governed by U.S federal tax laws. She also created documents for each investor claimant which included addressing headers with claimant's name, address and claim amount, in preparation for the upcoming interim distributions. She telephoned investor claimants that had not responded to any other means of the Receivers communication which included postcards sent to their last known address. She also assisted in preparing and drafting unopposed motions for approval of the ING Settlement distribution plan and procedures as well as the first interim distribution plan and their proposed orders setting out obligations of the Receiver, the CFTC and the distribution agent, in

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<sup>4</sup> The Receiver's Senior Paralegal assisted with eleven Court documents as they relate to A-12-CV-0862-LY and the ancillary matter 1:19-CV -00930-LY.

anticipation of future distributions.<sup>5</sup> Her total hours invoiced by month for May were 18.50, total hours for June were 94, total hours for were July 76.40; total hours for August her time were 120.55; total hours for September were 55.9 invoiced at \$50.00 per hour which is one-third of her normal hourly rate for a total of \$18,267.50.

#### **IV. Expenses**

The Hohmann Law firm incurred expenses related to the Receiver's assignment agreement which has been executed by Essadia Moutaouakkil. As previously reported, the kingdom of the Moroccan consulate no longer required in person visits for notary services. The Hohmann Law firm was required to purchase one notary embosser \$92.77, five twenty-eight-dollar money orders each written to payable to order of the Consulate of General of the Kingdom of Morocco's New York totaling \$145.15.<sup>6</sup> The Receiver mailed the documents UPS Next Day Air (afternoon delivery) to ensure arrival at a cost of \$111.78; the USPS Priority Mail prepaid envelop required by the Consulate of General of the Kingdom of Morocco to return documents was paid at cost of \$8.95. The ProphetMax Receivership website domain annual renewal invoice was paid at a cost of \$19.99. The total expenses incurred are \$378.64.

#### **PRAAYER FOR RELIEF**

The Receiver requests the Court enter the proposed Order filed with this Motion to approve the payment of total expenses of \$31,707.41 referenced above. The expenses were both reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

Respectfully submitted,  
GUY HOHMANN

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<sup>5</sup> The Receiver's Senior Paralegal assisted with drafting the draft motion for Unopposed Motion for Approval of the ING Settlement Distribution Plan and Procedures as well as the draft motion for the Unopposed Motion for Approval of First Interim Distribution Plan and Procedures and their accompanying draft orders.

<sup>6</sup> The Receiver was requested to obtain five original copies of Essadia Moutaouakkils executed assignment agreement. Each copy required a notary seal from the Moroccan consulate.

By: /s/ Guy Hohmann  
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**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 October 24, 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

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

UNITED STATES COMMODITY  
FUTURES TRADING COMMISSION,

*Plaintiff,*

v.

SENE 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 ON RECEIVER’S MOTION FOR APPROVAL TO PAY EXPENSES FOR  
MAY 01, 2022 THROUGH SEPTEMBER 3, 2022**

Before the Court is the Receiver’s Motion for Approval to Pay Expenses to  
approve the payment of expenses for May 01, 2022, through September 30, 2022 (the “Motion”)  
for the following expenses:

1. Van Oosten Schulz de Korte Advocaten, for total fee and expenses EUR €4,392.00 (USD 4387.56).
2. Munsch, Hardt for their invoice total fees and expenses of \$8,673.71.
3. Senior paralegal total fees of \$18,267.50.
4. The Hohmann Law Firm expenses totaling \$378.64.

Having considered the Motion, the evidence presented, and arguments of counsel, if any,  
the Court finds the Motion should be, and is hereby, GRANTED.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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