

1 **MOT**

2 Geoff Winkler, Receiver
3 American Fiduciary Services LLC
4 2300 W. Sahara Ave, Suite 822
5 Las Vegas, NV 89102
6 Phone: (702) 857-0404
7 gwinkler@americanfiduciaryservices.com
8 Receiver for Blockchain Industries Inc.

9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 IN THE MATTER OF:
12 BUSINESS, VN, INC., a Nevada corporation.

Case No.: A-14-709484-P
Dept. No. IX

[HEARING REQUESTED]

**MOTION FOR ORDER IN AID OF
RECEIVERSHIP (1) SETTING A
CLAIMS FILING DEADLINE, (2)
APPROVING PROPOSED CLAIM
SUBMISSION PROCESS, AND (3)
APPROVING SUMMARY CLAIM
PROCEDURES**

13 Pursuant to this Court’s November 8, 2023, Order, and Nevada Revised Statutes 32.335,
14 the Receiver Geoff Winkler, hereby moves this Court for an order in aid of receivership
15 providing the following relief: (1) setting a claims filing deadline, (2) approving proposed claim
16 submission process, and (3) approving summary claims procedures.

17 **I. RELEVANT BACKGROUND AND PROCEDURAL HISTORY**

18 Business, VN, Inc. was incorporated in the state of Nevada on September 15, 1995.
19 Business, VN, Inc. is a public corporation with shares issued to stockholders. The timeline of
20 important events in this case, as the Receiver understands it, is as follows:

21 MOTION FOR ORDER IN AID OF RECEIVERSHIP (1) SETTING CLAIMS FILING DEADLINE, (2)
22 APPROVING PROPOSED CLAIM SUBMISSION PROCESS, AND (3) APPROVING SUMMARY CLAIM
23 PROCEDURES - 1

- 1 - On November 11, 2014, an Application for Appointment of Custodian was filed with
- 2 the court from Petitioner Ketcher Industries, LLC, which owns a stake in Business
- 3 VN, Inc., stating the officers of Business VN, Inc. abandoned the corporation's
- 4 business and have failed to dissolve, liquidate, or distribute its assets.
- 5
- 6 - On December 11, 2014, the Court ordered Ketcher Industries, LLC be appointed
- 7 custodian of Business, VN, Inc.
- 8
- 9 - On February 9, 2015, White Tiger Partners LLC, a creditor of Business, VN, Inc.
- 10 motioned to intervene.
- 11
- 12 - The Court granted the motion to intervene on March 19, 2015.
- 13
- 14 - On April 1, 2015, White Tiger Partners LLC, a judgment creditor of Business, VN,
- 15 Inc. filed an application for the appointment of Robert L. Stevens, White Tiger's
- 16 principal, as receiver over Business, VN Inc. and its assets.
- 17
- 18 - The Court held a hearing on May 5, 2015, and granted the motion to appoint Mr.
- 19 Stevens as receiver the next day.
- 20
- 21 - On November 23, 2016, the Receiver filed a motion to close the case.
- 22
- 23 - On January 27, 2017, and before the Court acted on the previously filed motion to
- 24 close the case, the Receiver filed a motion to authorize the Receiver to:
- 25 o terminate all of the previous Officers and Directors,
- 26 o issue new shares,
- 27 o ratify a reverse stock split previously affected,
- 28 o ratify the name change to Omni Global Technologies, Inc.,

- 1 ○ ratify the business combination/reorganization with Omni Global
2 Technologies, Inc. A Florida Corporation, and
3 ○ discharge Receiver.
4
5 - The Court held a hearing and granted the motion and discharged the Receiver on
6 February 16, 2017.
7
8 - On April 10, 2017, White Tiger Partners, LLC, and Mr. Stevens filed a motion to
9 rescind due to non-performance by the merging party, Omni Florida. Mr. Stevens
10 sought, among other things, to:
11 ○ ratify a new reorganization with JOJ Investments LLC, a Puerto Rico LLC,
12 ○ ratify the issuance of a restricted control of stock to JOJ Investments LLC,
13 ○ ratify the assignment of the White Tiger Partners judgment to a third party,
14 ○ appoint new officers, and
15 ○ complete the remaining terms of the closing.
16
17 - The order granting that motion was entered on June 23, 2017.
18
19 - Thereafter, JOJ Investments., executed a name change with FINRA to Blockchain
20 Industries, Inc. (“BCI Old”) and merged in a firm involved in the blockchain space.
21 FINRA completed the name and symbol change on January 10, 2018.
22
23 - Due to mismanagement by the management of BCI Old, creditors and shareholders of
24 BCI Old sought the reappointment of the Receiver on August 16, 2019.
25
26 - A hearing was held on September 17, 2019, and Mr. Stevens was reappointed on
27 October 8, 2019.

- 1 - On July 9, 2020, the Intervenor and Receiver's Interim Status Report and Motion for
2 Order in the matter, set a Hearing for August 13, 2020.
- 3 - On July 30, 2020, it was further ordered that the Court specifically ratifies the
4 reorganization of Blockchain Industries, Inc., f/k/a Business VN, Inc.
- 5 - On November 8, 2022, the Receiver filed a motion to assign interest, order issuer
6 compliance, and clarify ownership.
- 7 - On December 14, 2022, the court held a hearing on the assignment motion, which
8 was rescheduled for December 21, 2022, and required the attendance of the Receiver
9 and his primary counsel.
- 10 - On December 19, 2022, the Receiver filed what he titled as his final report, motion to
11 seal Exhibit 1, and a request for discharge.
- 12 - The Court held a hearing on December 21, 2022, and heard arguments on the
13 Receiver's report and pending motion to seal.
- 14 - On January 20, 2023, the Court issued an Order:
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- denying the Receiver's Motion to Assign Interest,
 - granting in part and denying in part the Motion to Seal Exhibit 1 to Receiver's
Final Report and Request for Discharge,
 - restraining Mr. Stevens from taking any further action on behalf of or in the
name of the receivership,
 - requiring Mr. Stevens to appear on March 2, 2023, and show cause why he
should not be held in contempt of court for violating the laws governing
receivership and the court's receivership order,

- Mr. Stevens to appear and show cause as to why he should not be held in contempt of court for violating laws governing receivership and the court's order at a hearing scheduled for March 2, 2023, and
- appointing Geoff Winkler of American Fiduciary Services, LLC as the successor receiver, to take charge of the receivership estate by close of business on January 27, 2023.

- On November 2, 2023, the Court held a status check and established a timeline for submission of a claims process and filing of Mr. Winkler's first report as Receiver. The claims motion is to be submitted by December 7, 2023, and the first report of the Receiver is due January 11, 2024.

II. PROPOSED CLAIMS PROCEDURES

Pursuant to this Court's November 8, 2023, order, and Nevada Revised Statutes 32.335, the Receiver Geoff Winkler, hereby moves this Court for an order in aid of receivership providing the following relief: (1) setting a claims filing deadline, (2) approving proposed claim submission process, and (3) approving summary claims procedures.

A. Claims Filing Deadline

Pursuant to NRS 32.335(2), the Receiver requests the Court set a claims filing deadline ninety (90) days following the entry of the Order in Aid of Receivership (the "Claims Filing Deadline"). All claims must be received by the Receiver not later than the Claims Filing Deadline. Any investor or creditor who fails to submit a claim form by mail to American Fiduciary Services by the Claims Filing Deadline shall be forever barred and enjoined from asserting a claim against Blockchain Industries Inc. (a/k/a Ketcher Industries, a/k/a Business,

1 VN, Inc.), the Receiver, and the receivership estate. The claim form must be received by the
2 Receiver on or before the Claims Filing Deadline in order to be considered timely. Claims shall
3 not be filed with the Court, but rather directly with the Receiver. Given the age and history of the
4 case, the Receiver is requesting that the Court waive the publication provision of NRS
5 32.332(1)(b).
6

7 **B. Proposed Claims Submission Process**

8 To facilitate distributions, the Receiver proposes the following procedures for noticing,
9 reviewing, and processing investor and creditor claims. Promptly upon entry of any order
10 granting this Motion Aid of Receivership, the Receiver will mail a letter and proposed claim
11 form to all known potential claimants at their last known mailing address. The letter will notify
12 them that they have ninety (90) days from the Claims Filing Deadline to submit their claims to
13 the Receiver. The letter will contain the exact deadline as established by this Court. The Receiver
14 will also convey this message to potential claimants by email to the last known email address, if
15 any. The proposed claims form, attached hereto as Exhibit A, includes all the information that
16 the Receiver believes is necessary to properly evaluate the claim and as required under NRS
17 32.335(3). The instructions for completion of the claims form are included on the claim form and
18 the Receiver's staff will be available to answer any questions a claimant may have. The claim
19 form contains all the traditional boxes to complete. Completed claim forms must be mailed to the
20 Receiver's office at the address designated in the claims form.
21
22
23

24 **C. Summary Claims Procedures**

25 The Receiver will evaluate all claims and supporting documentation that are received by
26 the Claims Bar Date and compare them to the records of the receivership entity, including any
27

1 predecessors, and any other materials that the Receiver has available to him and will make a
2 determination of the recommended treatment of each claim. Where the Receiver disputes all or a
3 portion of the claim, he will first attempt to resolve the dispute informally with the claimant. If
4 the Receiver is unable to settle the dispute informally, the Receiver will provide written notice of
5 objection to the claimant by mail. For claims that the Receiver recommends either full or partial
6 objections, the Receiver will identify the portion of the claim that he believes is objectionable,
7 the proposed allowed amount, if any, and the factual and legal basis for the Receiver's objection
8 and will file a motion with this Court requesting approval of the proposed treatment. The motion
9 will be served by mail to the claimant at the address on the proof of claim and the claimant may
10 file an opposition in accordance with the Local Rules of this Court. If appropriate, the Receiver
11 will file a reply. The Receiver believes these procedures will minimize delay and expense while
12 still affording investors and creditors a full and fair opportunity to present their claims and have
13 any disputes resolved by the Court.
14

15 **III. CONCLUSION**

16 Pursuant to NRS 32.335, the Receiver respectfully requests that the Court enters an Order
17 in Aid of Receivership (1) sets a claims filing deadline, (2) approves proposed claim submission
18 process, and (3) approves summary claims procedures.
19
20
21

22 Dated this 7th day of December 2023.
23


24
25 
26 _____
Geoff Winkler, Receiver

EXHIBIT A - PROPOSED PROOF OF CLAIM FORM

DISTRICT COURT CLARK COUNTY NEVADA

PROOF OF CLAIM

IN THE MATTER OF:

Case No. A-14-709484-P

BUSINESS, VN, INC., a Nevada Corporation

Department IX

1A. NAME AND ADDRESS OF CLAIMANT

Name

Business Entity

Street Address

City, State Zip Code

Telephone Number

Email

Tax ID or SSN (Primary Claimant)

Tax ID or SSN (Co-Claimant)

1B. KNOWN ALIASES OF CLAIMANT

Aliases

2. PENDING LEGAL ACTION

Please provide date commenced, court and case number.

3A. TOTAL AMOUNT OF CLAIM SINCE 5/6/2015

\$ _____

Provide Details in Section 3b,c.

3B. DATE & AMOUNT OF MONEY OR SERVICES PROVIDED SINCE 5/6/2015

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

3C. DATE & AMOUNT OF ANY DISTRIBUTIONS OR PAYMENTS RECEIVED SINCE 5/6/2015

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

Date: _____ Amount: \$ _____

ADMIN USE ONLY - DO NOT WRITE IN THIS BOX

DATE RECEIVED STAMP

EXHIBIT A - PROPOSED PROOF OF CLAIM FORM

DISTRICT COURT CLARK COUNTY NEVADA

PROOF OF CLAIM

IN THE MATTER OF:

Case No. A-14-709484-P

BUSINESS, VN, INC., a Nevada Corporation

Department IX

4A. BASIS OF CLAIM

- Goods Sold
- Services Performed
- Money Loaned
- Taxes
- Wages, Salaries, or Compensation (explain below)
- Other (explain below)

Explanation from Above:

4B. ATTACH SUPPORTING DOCUMENTATION

Please attach copies of supporting documents, such as cancelled checks (front and back), account ledgers, bank statements, promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, evidence of lien perfection, etc. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, please explain through attaching a narration to this claim form.

4C. DATE STAMPED COPY

To receive an acknowledgment of the filing of your Proof of Claim form, enclose a stamped, self-addressed envelope and copy of this Proof of Claim form when filing your original Proof of Claim.

5. SIGNATURE AND DATE

Please sign and print your name, title, if any, and date of all claimants or other persons authorized to file this claim. If the signer is not the claimant, please attach copies of the appropriate documents (power of attorney, death certificate, or other documents as needed). **BY SIGNING YOUR NAME BELOW, YOU ATTEST, UNDER THE PENALTY OF PERJURY, THAT THE INFORMATION PROVIDED IN THIS CLAIM FORM IS ACCURATE TO THE BEST OF YOUR KNOWLEDGE.**

Claimant Signature

Claimant Printed Name

Claimant Date

Claimant Title

Co-Claimant Signature

Co-Claimant Printed Name

Co-Claimant Date

Co-Claimant Title

ADMIN USE ONLY - - DO NOT WRITE, STAMP OR SIGN IN THIS BOX

EXHIBIT A - PROPOSED PROOF OF CLAIM FORM

DISTRICT COURT CLARK COUNTY NEVADA

PROOF OF CLAIM

IN THE MATTER OF:
BUSINESS, VN, INC., a Nevada Corporation

Case No. A-14-709484-P
Department IX

INSTRUCTIONS FOR COMPLETING THE PROOF OF CLAIM FORM

GENERAL INFORMATION

On January 20, 2023 the District Court Clark County Nevada appointed Geoff Winkler of American Fiduciary Services, LLC, as a Successor Receiver, to take charge of the receivership estates for Blockchain Industries Inc. (a/k/a Ketcher Industries LLC, a/k/a Business, VN, Inc.) by close of business on January 27, 2023.

Since then, the Successor Receiver has been working with the former receiver, analyzing data, communicating with relevant parties, and developing the claims process. Although that process is not complete, the Receiver is holding funds to make a distribution to claimants. **If your proof of claim is not received by _____, you will lose your right to receive any distributions from the Receiver or the receivership estate and your claim will be barred.**

WHO MUST FILE A PROOF OF CLAIM FORM?

You must file a Proof of Claim form if you believe that you are owed money by Defendant Blockchain Industries, Inc., Ketcher Industries LLC., or any of its subsidiaries and affiliates (collectively, the "receivership entities"), arising out of or based upon (a) any investment with, through, or in the receivership entities; (b) any interest in the receivership entities or any of its assets or any claim against the receivership entities or any entity under its control based on primary, secondary, direct, or indirect, secured, or unsecured, or contingent liabilities; or (c) any claim of any sort against the receivership entities or any entity under its control whether such claim is based upon contract, tort, contributions, indemnity, reimbursement, subrogation theories or other legal or equitable theory. If you are both an investor and creditor or are an investor with or through more than one of the receivership entities, you must file a single Proof of Claim form for all claim(s) or interests(s) you allege to have against the receivership entities, collectively and individually. Note that failure to submit a signed Proof of Claim form and supporting documentation, will result in the denial of your claim.

CONSENT TO JURISDICTION OF THE COURT AND THE CONSEQUENCES THEREOF:

If you submit a Proof of Claim form in this case, you consent to the jurisdiction of District Court Clark County Nevada ("District Court") for all purposes, agree to be bound by its decisions, including a determination, among other things, as to the validity and amount of your claim against the receivership entities, or other persons as identified above. In submitting a Proof of Claim, you agree to be bound by the actions of the District Court, including the District's Court approval of limiting or denying your claim, if any. By submitting a Proof of Claim, you further agree that your participation in any distribution of the receivership estate may exclude or prevent you from pursuing any other remedies.

WHERE MUST THE PROOF OF CLAIM FORM BE SENT?

The completed Proof of Claim form, along with all supporting documentation, must either be (1) completed and sent by email (bciclaims@americanfiduciaryservices.com); or (2) mailed to the address below. Do not do both or it will result in duplicate claims. Claims submitted by mail can be mailed to:

Geoff Winkler, Receiver
c/o Blockchain Industries Claims
PO Box 4364
Portland, OR 97208-4364

WHAT IS THE DEADLINE TO FILE THIS PROOF OF CLAIM FORM?

The Proof of Claim form **must be received by the Receiver** no later than _____. Please note that any late filed claim will be objected to and denied in its entirety.

SUPPORTING DOCUMENTS.

You must attach to the Proof of Claim form, copies of all documents that show that the receivership entities owe the debts or amounts claimed. If supporting documents are not available, you must attach an explanation of why they are not available. Failure to provide such documents may result in the denial of your claim.

EXHIBIT A - PROPOSED PROOF OF CLAIM FORM

DISTRICT COURT CLARK COUNTY NEVADA

PROOF OF CLAIM

IN THE MATTER OF:
BUSINESS, VN, INC., a Nevada Corporation

Case No. A-14-709484-P
Department IX

INFORMATION ON COMPLETING THE PROOF OF CLAIM FORM

1A. Name and Address of Claimant

Complete this section giving the name, business entity, address, and telephone number, email and tax ID or Social Security Number of the claimant and, if applicable, co-claimant to whom the receivership entities allegedly owes money. This information is required and your claim may be objected to if it is incomplete.

1B. Known Aliases of Claimant

Please list any known aliases of the claimant or co-claimant if used in business with the receivership entities.

2. Pending Legal Action

If you have commenced legal action against the Company, provide the details of said legal action here. Attach any additional pages of description and supporting documentation. Also, please provide any information regarding court judgments obtained against any of the above captioned defendants.

3A. Total Claim Amount as of 5/6/2015

Please provide the total amount of your claim, which should be calculated as the total amount sent to the receivership entities less the total amount you received back from the receivership entities.

3B. Date & Amount of Money or Services Provided Since 5/6/2015

Please provide the dates and amounts of any money or services that were provided to the receivership entities since 5/6/2015. Please attach an additional sheet if necessary.

3C. Date & Amount of any Distributions or Payments Received Since 5/6/2015

Please provide the dates and amounts of any distributions or payments you have received from the receivership entities since 5/6/2015.

4A. Basis of Claim

Please check the box that most accurately describes the basis for your claim. Please only select one box.

4B. Attach Supporting Documentation

Note that in addition to filling out the Proof of Claim form, you must provide supporting documentation evidencing your claim. Supporting documentation may include, but need not be limited to, documents such as canceled checks, bank statements, account ledgers, promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgements, mortgages, security agreements, or evidence of perfection of liens. Furthermore, feel free to provide any additional pages of explanations or narrative discussing your claim and claim amount.

4C. Date Stamped Copy

To receive an acknowledgment of the filing of your Proof of Claim form, enclose an additional copy of the Proof of Claim form, along with a self-addressed, stamped envelope when filing the original form.

5. Signature, Printed Name, Title and Date.

The claimant, and if applicable, the co-claimant, sign, print their name, list their title(s), if applicable, and insert the date on which you completed and signed the Proof of Claim form. Please note that this form is signed up the penalty of perjury and any fraudulent claims or false information submitted are subject to prosecution.

Questions?

Any questions should be directed to the Receiver's office via email: bciclaims@americanfiduciaryservices.com or via phone: (503) 912-9787.