



## **II. Kinstellar**

In the Receiver's previous Motion for Approval to Pay Expenses, [Dkt. # 191] the Kinstellar firm's first invoice reflected total fees and expenses for EUR 21,045.58. The Receiver received via United States Postal Service an invoice which included an additional EUR 634.95. The Receiver is including this additional fee for their most recent invoice in this Motion for Approval to Pay Expenses for EUR €634.95 (USD \$749.23)<sup>2</sup>.

## **III. Munsch, Hardt**

As noted above, there are ongoing settlement discussions between the Receiver and ING Bank ("ING"). ING had expressed a desire to be free of any additional claims for the conduct at issue herein if it were to enter into a settlement with the Receiver. The Receiver's U.S. counsel was retained to provide a summary of relevant Fifth Circuit case law addressing this issue.

Munsch, Hardt subsequently invoiced the Receiver for \$2576.00

## **IV. Senior and Junior Paralegal**

The senior paralegal's main focus for the month of October continued to include assisting the junior paralegal with investors with their claim questions and responding to investors that had questions via email or telephone conversations regarding the postcards the Receiver mailed in an attempt to validate their contact information. This ongoing activity is winding down. The senior paralegal also assisted the Receiver with the Status Update and Unopposed Motion to Incur and Pay Expenses and to Initiate Litigation [Dkt. #192]. The main focus of another more junior paralegal was communicating with investors that responded to the postcards the Receiver mailed. He answered their questions, validated or updated their contact information and updated the

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<sup>2</sup>XE:Convert EUR/USD (November 12, 2020). Retrieved from <https://www.xe.com/currencyconverter/convert/?Amount=634.95&From=EUR&To=USD>

investor spreadsheet. He also monitored the Receivership email box daily for general investor inquiries. He updates the Facebook site and maintains the ProphetMax / IB Capital website.

The senior paralegal worked a total of 15.30 hours for the month of October; her time was invoiced at \$50.00 per hour which is one-third of her normal hourly rate for a total of \$765.00. The junior paralegal worked a total 23.5 hours from October 1, 2020, through October 31, 2020; his time was invoiced at \$30.00 per hour which is a forty percent discount to his normal hourly rate for a total of \$705.00.

### **PRAYER FOR RELIEF**

The Receiver requests the Court enter the proposed Order filed with this Motion to approve the payment of total expenses of USD \$15,496.42 referenced above. The expenses were both reasonable and necessary for the Receiver to fulfill his Court-ordered duties.

Respectfully submitted,  
GUY HOHMANN

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 November 13, 2020, 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

