

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

**RECEIVER'S STATUS UPDATE**

Comes now, Guy M. Hohmann, the Court-appointed Receiver in the above-referenced ProphetMax Receivership matter and the ancillary IB Capital matter and files this his Status Update.

**Riknik & Sons Ltd (“Riknik”) USD \$7.2 million judgment**

The Receiver has recently learned that it will be necessary to reinstate Riknik’s forfeited charter, so that Riknik can formally receive notice of the Receiver’s request to execute on the judgment from the Slovakian court. Once that notice is provided, the time to object to execution will run, and the account will be released to the Receiver. Accordingly, the service papers have been forwarded pursuant to the Hague Convention to the Supreme Court in Seychelles. The Receiver is presently in consultation with a potential corporate services provider to handle the reinstatement.

**Assignments from Neotex Advanced, Ltd. and Essadia Moutaouakkil**

As noted in previous reports, counsel for Banque Populaire outlined a process for repatriating the approximate USD \$4.5 million which is on deposit in Morocco. The first step in the process is to have the assignment agreements re-executed in the Moroccan Consulate (in the case of Essadia Moutaouakkil in Lile, France and in the case of the Receiver in New York). In addition, Banque Populaire's counsel has requested that Ms. Moutaouakkil execute a document stating that she will not appeal or otherwise challenge the judgment that has been entered against her. The papers have been forwarded to Ms. Moutaouakkil's counsel, who has duly sent them on to her. Once the documents are fully executed, they will be presented to Banque Populaire and the Receiver will coordinate recognition of the documents by the bank and local authorities. The Dutch Public Prosecutor's Office, which obtained the original freeze order, has promised to support the Receiver's request.

**Settlement Discussions with Rabiaa Moutaouakkil**

The Receiver was recently informed by the Dutch Public Prosecutor's Office that Ms. Moutaouakkil was interested in assigning approximately USD \$325,000 in a Moroccan bank account to the receivership estate. In addition, Ms. Moutaouakkil is also willing to convey title to the Receiver for (5) five different tracts of land located in Morocco. Two of the tracts have houses on them. The Receiver is in the process of retaining a Moroccan real estate broker to sell the real estate. In addition, the Receiver is also preparing assignment documents for Ms. Moutaouakkil's execution as well as a document stating she will not be appealing the judgment against her.

### **Status of Restoration Proceedings for Maverick**

There has been no change in this proceeding as the United Kingdom (“UK”) court has abated that proceeding pending a ruling on the Receiver’s Motion for Clarification [Dkt. #184].

### **Settlement Discussions with ING Bank**

Due to the fact the Receiver entered into a confidentiality agreement with ING Bank, the Receiver is not authorized to report further on this topic at the present time.

### **Criminal Trial of Emad Echade and Michel Geurkink**

The Receiver has recently learned the criminal trial of Emad Echade and Michael Geurkink has been scheduled to occur this Fall with a decision expected to be handed down by the year’s end. If they are convicted, there is another account at ING bank which contains approximately USD 3 million. A portion of those funds could potentially be made available to the Receiver for further distribution to the investors.

### **CONCLUSION**

The next status report will be submitted to the Court on January 31, 2022. If significant developments occur in the interim, the Receiver will file a report before that date.

Respectfully submitted,

GUY HOHMANN

By: /s/ Guy Hohmann

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

**CERTIFICATE OF SERVICE**

On July 31, 2021, 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