

- b. The Receiver's team will post a statement on the ProphetMax Facebook site as well as the ProphetMax Receivership website. The Release forms will be sent via email to the email addresses the Receiver has on file. If the Receiver does not receive a response from an Investor Claimant within thirty (30) days, the Receiver's team will send a letter to the address on file to that Investor Claimant. If the Receiver is not able to contact and confirm the Investor Claimant's address and contact information, their distribution will be held in the IB Capital Receivership Account until their contact information is confirmed.
- c. The Receiver will send a list of the Investor Claimants updated addresses contact information and first interim distribution amounts to the NFA.
- d. The Receiver shall wire transfer the funds to be distributed to a checking account which will be established by the NFA.
- e. Investor Claimants that contact the Receiver with their release and updated contact information after the initial thirty (30) day time period and up and until a sixty (60) day time period, the Receiver will notify the NFA of those additional Investor Claimants address confirmations, contact details and disbursement amounts. The Receiver will wire transfer those additional funds to the established NFA checking account to be mailed to the Investor Claimants by the NFA.
- f. If Investor Claimants contacts the Receiver with their release forms and updated address confirmations after the sixty (60) day time period, the Receiver will be responsible for transmission of those funds to the Investor Claimants.

- g. Once the Receiver receives a shipping tracking number from the NFA, the Receivers team will provide the Investor Claimant with the tracking details to assist in ensuring a secure delivery to the Investor Claimant.
- h. The Receiver will issue checks under USD \$25,000 that will be distributed to Investor Claimants that live in countries where the United States Postal Service (USPS) has suspended service. The checks will be mailed via Federal Express. The Receiver will include a letter with the check and provide tracking details to the Investor Claimant to assist in ensuring a secure delivery to the Investor Claimant.

2. The NFA shall:

- a. Open a checking account entitled IB Capital FX LLC – Restitution Fund, once the court enters an order approving the interim distribution.
- b. Once the checking account is opened, the NFA will provide the Receiver with the wire transfer account instructions.
- c. Upon receipt of a listing of the Investor Claimants from the Receiver, the NFA will mail the checks to the Investor Claimants (at no charge to the Receivership estate) in the amounts and to the addresses provided by the Receiver.
- d. Within sixty (60) days from the mailing of the initial checks, the NFA will mail any additional checks to Investor Claimants who provided the Receiver with their current mailing address and/or signed release after the initial checks were mailed by the NFA. The cost of this second potential mailing will also be at no charge to the Receivership estate.

- e. Within ninety (90) days of the initial mailing of checks, the NFA will issue a check back to the Receiver any funds remaining in the IB Capital FX LLC – Restitution Fund account.
- f. If any of the checks mailed by the NFA are returned as undeliverable, the NFA will forward them to the Receiver.
- g. The NFA will issue a letter with each distribution check.
- h. The NFA will send checks over USD \$25,000 via Federal Express. All other checks will be sent by the USPS without tracking.
- i. Upon generation of a shipment tracking number, the NFA will provide the tracking details to the Receiver.
- j. The NFA will not publish or release any Investor Claimant information. All Investor Claimant information is confidential and non-public.

3. The CFTC shall:

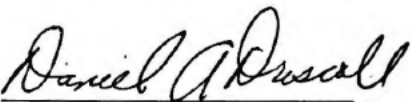
- a. Assist the Receiver in locating Investor Claimants that he has not been able to locate.

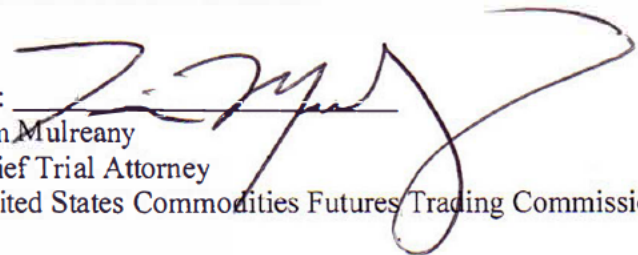
Having considered the Motion, the evidence presented, and arguments of counsel, the Court concludes the Motion should be, and is hereby, GRANTED.

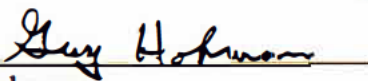
SIGNED this _____ day of _____, 2020.

LEE YEAKEL
UNITED STATES DISTRICT JUDGE

Approved as to Form and Substance:

By: 
Dan Driscoll
Special Policy Advisor
National Futures Association

By: 
Tim Mulreany
Chief Trial Attorney
United States Commodities Futures Trading Commission

By: 
Guy Hohmann
Receiver for IB Capital FX, LLC and Investment Intelligence Corporation