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

UNITED STATES COMMODITY FUTURES TRADING COMMISSION,	§	
Plaintiff,	§	
v.	§	Civil Action No. A-12-CV-0862-DAE
SENEN POUSA, INVESTMENT INTELLIGENCE CORPORATION, *DBA* PROPHETMAX MANAGED FX, JOEL FRIANT, MICHAEL DILLARD, and ELEVATION GROUP, INC.,	§	
Defendants.	§	

RECEIVER'S STATUS REPORT

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 Report.[1] The Receiver's previous Status Report was submitted to the Court on February 4, 2026.

As previously reported, in late December of 2025, the last remaining funds were recovered from Morocco and repatriated back to the U.S. The Third Interim Distribution amount totals $3,336,811.24

It is important to note, with this final recovery, the Receiver successfully recovered all the misappropriated funds available to be repatriated with the efforts of the Dutch Public Prosecutor's Office, his U.S., French, Moroccan, U.K. and Slovakian counsels as well as assistance from the CFTC and the U.S. Consulate's Office at the Moroccan Embassy.

[1] 2017.12.27 [Dkt. # 114]. STATUS REPORT ORDER "Parties shall file a similar report every six months thereafter until the case is complete".

A. Third Interim Distribution – In Progress

On December 18, 2025, this Court granted the Receiver's Unopposed Motion for Approval of Third Interim Distribution Plan & Procedures.[2] There were not any objections or notices of appeal; the Order became final January 17, 2026.

As previously stated in the Receiver's Unopposed Motion for Approval of Third Interim Distribution Plan & Procedures this distribution percentage equals 14% of the Investors' Approved Claim Amount.[3,4]

The Third Interim Distribution payments began the last week of February 2026. Approximately fifty percent of the Approved Investor Claimants have received their distribution. The Receiver expects the distributions to continue through the end of the year.

Due to email constraints from popular email severs such as Google and Yahoo, the paralegals continue to email Investor Claimants individually. Prior to the constraints, the practice of blind copying numerous email addresses allowed streamlined announcements and communications.

1. Increased Security Protocols

Due to numerous outside factors, fraudulent activity is unprecedented (mail, check cashing, wire fraud, compromised and/or breached computers and email accounts etc.). Due to this increased fraudulent activity, the Receivership continues to increase its security protocols. Any changes in Investor Claimant's contact details, i.e. physical addresses, and in some cases email

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[2] [Dkt.# 356].

[3] If the Approved Investor Claimant was eligible to participate in the ING Bank Settlement and the First & Second Interim Distributions, the third interim distribution payment will have returned ninety-six percent (96%) of their Approved Claim Amount.

[4] The Receiver anticipates there will be a final distribution of in the range of 1% to 3% of the Approved Investor Claimants Claim amount.

addresses, require verbal confirmation with the Investor Claimants, which increases the process time. Authenticating changes in wire instructions is also critical and entails a multistep process.

In order to authenticate Approved Investor Claimants' identities, the senior paralegal will research questions that could not be answered solely from information that was previously communicated via email.

To accomplish this, the paralegals research Approved Investor Claimants' records that were originally submitted through the Court Approved Claim Process; these records were not collected through email.[5]

The paralegals schedule telephone conference calls to validate changes. Due to the differing time zones, scheduling calls can take several emails over multiple days. Depending on the country, it is not uncommon for the senior paralegal to schedule calls late at night or very early in the morning to accommodate the Approved Investor Claimants' schedule.

2. Report On Fraudulent Activity

In late April, one of the Receivership's Approved Investor Claimant's email was compromised and taken over by a fraudster. Within twenty-four (24) hours of exchanging emails with the Approved Investor Claimant, an imposter fraudulently intercepted his email and pirated the email conversation and subsequently rerouted the wiring instructions to a separate bank, M&T Bank ("M&T"). On May 28, 2026, the Receiver sent a letter via email to M&T Bank's Senior Executive Vice President and Chief Legal Officer. The Receiver's letter explained the fraudster's activities and requested M&T Bank to wire the misappropriated funds to the Receivership estate.

As to an update, on May 28, 2026, the Receiver sent a letter via email to M&T Bank's Senior Executive Vice President and Chief Legal Officer. On June 9, 2026, M&T returned a

[5] The claim documentation was filed electronically on the Receiver's online claim system. [Dkt. #101] Order Granting Motion for Approval of Claims Process and Proposed Bar Date.

minuscule portion of the funds in the amount of $2,582.70 to the Receivership estate. Subtracting the above amount from the total funds that were wired to John Doe ($40,307.50) is the amount by which the receivership estate has been damaged or $37,724.85 ($40,307.550 less $2,582.70).

On July 27, 2026, the Receiver filed an Unopposed Motion for Leave to File Receiver's Original Complaint for Turnover, Restitution and Unjust Enrichment Against Relief Defendants M&T Bank and John Doe (the presently unidentified fraudster).[6]

3. Fraudulent - Third Interim Distribution Misappropriated Check Cashed

By way of background, on May 5, 2026, the paralegal notified an Investor Claimant via email the Receivership received confirmation from the Court approved distribution agent, Donlan, Recano & Co. LLC (the "DRC") that her check was in the mail; the DRC is located in Manhattan, N.Y.

As of June 16, 2026, the Investor Claimant had not received her check. Via email, the senior paralegal contacted the customer service manager of the DRC. Within a few hours, he emailed a copy of the check image which illustrated it was deposited and cashed.

The senior paralegal emailed an image of the check to the Investor Claimant. She quickly notified the Receivership; the check was fraudulently cashed. The senior paralegal immediately contacted the manager of DRC via telephone. The DRC representative in turn immediately contacted their bank, Metropolitan Commercial Bank ("MCB"). MCB strongly recommended the DRC close the compromised bank account and open a new one.

It was both DRC and the Receiver's understanding, the account closure and reopening process would be relatively seamless and the new Third Interim Distribution account would be

[6] [Dkt. #'s 374, 374-1, 374-2] Unopposed MOTION for Leave to File Receiver's Original Complaint Naming Relief Defendants by Guy M. Hohmann. (Attachments: # 1 Exhibit 1 Receiver's Original Complaint Naming Relief Defendants, # 2 Proposed Order Granting Receiver's Motion to Leave to File Complaint Against Relief Defendants) (Entered: 07/27/2026)

open within a few business days. Unfortunately, it took longer than expected; on June 24, 2026, the senior paralegal was notified the new account had been opened. Prior to issuing and mailing checks, the DRC has several internal security protocols to follow such as building and testing new check templates etc. Checks will begin being issued and mailed from the new DRC bank account to the Investor Claimants by August 10, 2026.

B. U.S. Federal Tax Requirements

The Receiver's paralegals worked diligently with the Investor Claimant(s) who are governed by U.S. federal tax laws to meet federal tax law requirements.

The tax law requires the Receivership to retain a W-9 form for each individual and entity participating in the Receivership distributions that will receiver over $600.00 annually.

The W-9 forms are collected; the paralegals emailed the information to the DRC to issue and mail the 2026 1099-MISC forms which is a payment statement due to the payee by January 31, 2027.[7]

C. Expected Final Distribution – Summer of 2027

Once the Third Interim Distribution concludes and the Receivership meets its IRS 2026 obligations, the Receiver will seek instruction from this Court to disperse the remaining funds via a final distribution in the range of 1% to 3% of the Approved Investor Claimants claim amount.

The distribution stems from funds the Receiver have already collected. This distribution will be the first step in winding down the Receivership. Additional details will be discussed in the next status report.

[7] [DKT #321].

CONCLUSION

The next Status Report will be submitted to the Court on January 31, 2027. If significant developments occur in the interim, the Receiver will file a report before that date.

Dated: July 31, 2026

Respectfully submitted,

By: */s/ Guy Hohmann*

Guy Hohmann
State Bar No. 09813100
Mailing Address:
3005 S. Lamar Blvd.
Ste. #D109-413
Austin, Texas 78704
guyh@hohmannlaw.com
(512) 551-9808

RECEIVER FOR THE PROPHETMAX AND IB CAPITAL RECEIVERSHIP ESTATES

CERTIFICATE OF SERVICE

On July 31, 2026, 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