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5 *Attorneys for Receiver*  
6 *Geoff Winkler of American Fiduciary Services*

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 SECURITIES AND EXCHANGE  
COMMISSION,

11 Plaintiff,

12 v.

13 PROFIT CONNECT WEALTH SERVICES,  
INC., JOY I. KOVAR, and BRENT CARSON  
14 KOVAR,

15 Defendants.

Case No. 2:21-cv-01298-JAD-BNW

**DECLARATION OF GEOFF WINKLER  
IN SUPPORT OF MOTION FOR ORDER  
IN AID OF RECEIVERSHIP  
AUTHORIZING RECEIVER TO  
EMPLOY SPECIAL LITIGATION  
COUNSEL AND PURSUE A POTENTIAL  
CLAIM**

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18  
19 I, Geoff Winkler, declare as follows:

20 1. I am over 21 years old and am a founding member and the chief executive officer  
21 of American Fiduciary Services LLC, which is based on Portland, Oregon.

22 2. I am competent to testify to the matters presented in this declaration, and I submit  
23 this declaration in support of my motion to employ Levine Kellogg Lehman Schneider + Grossman  
24 LLP (“LKLSG”) as special litigation counsel to investigate and, if appropriate, to prosecute claims  
25 against Bank of America (the “Motion”). Capitalized terms not defined herein shall have the same  
26 meaning as in the Motion. This declaration is based on my personal knowledge, except where  
27 made on information and belief, and as to those matters, I believe them to be true.  
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1           3.       By order entered on July 23, 2021, I was appointed as the temporary receiver over  
2 Profit Connect Wealth Services, Inc., and its affiliates and subsidiaries ("Profit Connect"). On  
3 August 6, 2021, upon order of the Court following stipulation of the parties, I was appointed as  
4 the permanent receiver.

5           4.       In connection with my duties as the receiver, we reviewed Profit Connect's banking  
6 records and its emails. We also issued a subpoena to Bank of America for account records,  
7 correspondence, and similar documents. Bank of America produced documents over a period of  
8 several months. We have reviewed these records and believe that they warrant further  
9 investigation as to whether Bank of America knew that Profit Connect was not running a legitimate  
10 business but continued to provide banking services that enabled Profit Connect to perpetuate its  
11 fraud. Because I have a duty to maximize the size of the receivership estate for the benefit of  
12 creditors and given what we have located so far, I believe that I have a duty to investigate potential  
13 claims further and would like a firm that has substantial litigation experience against financial  
14 institutions to conduct that further investigation and, if appropriate, to pursue that litigation.  
15 Although LKLSG is based in Florida, it has appeared in cases nationwide and will retain local  
16 counsel as necessary, subject to the approval of the Court.

17           5.       I am familiar with LKLSG and am using them in a different case brought by the  
18 SEC where I am acting as receiver and have been pleased with the results to date. Prior to engaging  
19 LKLSG in that matter, I contacted two other federal equity receivers for whom they have done  
20 work and received positive feedback on their work. I also believe that a contingency arrangement  
21 is appropriate because, if litigation is pursued, Bank of America will likely aggressively defend  
22 the case and I do not want to deplete the funds on hand by paying counsel on an hourly basis. I  
23 believe their retention and the potential pursuit of this litigation is an appropriate exercise of my  
24 business judgment.

25           I declare under penalty of perjury that the foregoing is true and correct.

26           Executed on June 28, 2023

27           /s/ Geoff Winkler  
28           \_\_\_\_\_  
              Geoff Winkler

**CERTIFICATE OF SERVICE**

1 At the time of service, I was over 18 years of age and not a party to this action. I  
2 am employed in the County of Orange, State of California. My business address is 3200  
Park Center Drive, Suite 250, Costa Mesa, CA 92626.

3 On 6/28/2023, I served true copies of the following document(s) described as

4 **DECLARATION OF GEOFF WINKLER IN SUPPORT OF MOTION FOR ORDER IN AID OF RECEIVERSHIP**  
5 **AUTHORIZING RECEIVER TO EMPLOY SPECIAL LITIGATION COUNSEL AND PURSUE A POTENTIAL CLAIM**

6 on the interested parties in this action as follows:

7 **SEE ATTACHED SERVICE LIST**

8 **(X) (BY COURT VIA NOTICE OF ELECTRONIC FILING (“NEF”)).** Pursuant to Fed. R.  
9 Civ. P. 5(b), the foregoing document will be served by the court via NEF and hyperlinked  
10 to the document. On 6/28/23, I checked the CM/ECF docket for this case and determined  
that the aforementioned person(s) are on the Electronic Mail Notice List to receive NEF  
transmission at the email address(es) indicated.

11 **(X) (BY U.S. MAIL).** I enclosed the document(s) in a sealed envelope or package and  
12 placed the envelope for collection and mailing, following our ordinary business practices.  
I am readily familiar with the practice of Smiley Wang-Ekvall, LLP for collecting and  
13 processing correspondence for mailing. On the same day that correspondence is placed  
for collection and mailing, it is deposited in the ordinary course of business with the  
14 United States Postal Service, in a sealed envelope with postage fully prepaid. I am a  
resident or employed in the county where the mailing occurred. The envelope was  
placed in the mail at Costa Mesa, California.

15 **( ) (BY E-MAIL).** By scanning the document(s) and then e-mailing the  
16 resultant pdf to the e-mail address indicated above per agreement. Attached to  
this declaration is a copy of the e-mail transmission.

17 **( ) (BY FACSIMILE).** I caused the above-referenced documents to be  
18 transmitted to the noted addressee(s) at the fax number as stated. Attached to this  
declaration is a "TX Confirmation Report" confirming the status of transmission.  
19 Executed on \_\_\_\_\_, at Costa Mesa, California.

20 **( ) STATE** I declare under the penalty of perjury under the laws of the State of  
21 California that the above is true and correct.

22 **(X) FEDERAL** I declare that I am employed in the office of a member of the bar  
23 of this court at whose direction the service was made.

24  
25 Executed on June 28, 2023, at Costa Mesa,  
California;

*/s/ Lynnette Garrett*

\_\_\_\_\_  
Lynnette Garrett

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**SERVICE LIST**

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