

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

GEOFF WINKLER, as court-appointed Receiver
for J&J CONSULTING SERVICES INC., ET AL.,

Plaintiff,

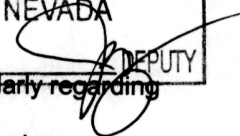
v.

Warren Rosegreen,

Defendant.

Case No.: 2:22-cv-00612-CDS-EJY

Motion To Compel Disclosure of Receivership Authority, Bonding, Insurance, Qualification, And Fiduciary Records

☒ FILED	☐ RECEIVED
☐ ENTERED	☐ SERVED ON
COUNSEL/PARTIES OF RECORD	
JUN 25 2026	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: 	DEPUTY

To The Honorable Court:

Defendants file this **Motion to Compel** for the production of critical documentation, particularly regarding disbursements, financial transactions, fiduciary records, and other materials supporting American Fiduciary Services LLC's (AFS) court-appointed activities as a Receiver or fiduciary. The focus of this first section is to secure comprehensive transparency regarding the financial and operational management of fiduciary engagements and all relevant transactions.

The Receivership Order grants extraordinary powers while simultaneously eliminating traditional safeguards. The Receiver is authorized to control and dispose of property, yet no bond has been required. The practical effect is to shift all risk of loss onto the affected parties while insulating the fiduciary from financial accountability. Defendant objects to such an arrangement as contrary to fundamental principles of fiduciary responsibility and due process.

Documents Requested:

1. All disbursement records from trust/IOTA accounts:

- Disclosures of all transactions involving payouts to **Greenberg Traurig LLP (GT Law)** or other law firms, service providers, third-party contractors, and employees.
- These records must include the date, amount, recipient, purpose, and supporting approvals for each disbursement.
- The Beasley Law Firm LLC IOLTA account over which the Receiver has full control.

2. Fiduciary-controlled account ledgers:

- Complete account transactions for any **segregated IOLTA trust account or escrow account** operated, delineating credits and debits.
- Quarterly or monthly bank statements identifying funds under AFS's fiduciary control.

3. Payroll and contracts for retained individuals/entities:

- Payment records to employees, consultants, and vendors paid using receivership funds, encompassing engagement letters, fee agreements, and billing invoices.
- Itemized reports for bonuses, incentives, or extraordinary payments made to any service contractors or agents.

4. Recovery tracing documentation:

- All forensic tracing and reconciliations that define the source of recoverable funds, trace flows relevant to court-approved claims, and outline methodologies for asset recovery.
- Any methodology used to calculate claimed recovery deficiencies against defendants.

5. Fiduciary Assignment Authority:

- Clear production of appointment orders (through regulatory or court appointment) enabling AFS's control of receiverships or trusts.
- Evidence of fiduciary authority such as POAs, operating agreements, bond/surety compliance, and insurance coverage for fiduciary obligations.

6. Documentation on Service Fees and Engagement Structures:

- Billing practices, whether time-based, contingency, or other hybrid arrangements for legal advisory engagements, asset tracing audits, or third-party claims verifications.

Necessity to Compel Production:

Fundamental fairness requires that **all parties subject to AFS's process (disbursements, judgments, or tracing)** have the basis for their claims independently validated. Without sufficient disclosure from AFS regarding engagement integrity and financial clarity, a fair defense is impossible under adversarial testing.

Additional Orders Requested:

- Any failure to fully disclose requested records warrants additional judicial remedies, including:
 - Financial transaction subpoenas to receivership-related depositories.
 - Sanctions under the Federal Rules of Civil Procedure for discovery violations.

Documents and Disclosures Requested:

1. Independence and Transparency Policies:

a. Conflict-of-interest policies:

- All disclosed or undisclosed relationships that may create conflicts of interest, including AFS's engagements with courts, regulators, key attorneys, or fiduciary counterparties.

b. Policies on independence safeguards:

- Terms outlining how AFS ensures neutrality and impartiality in its fiduciary actions, including any standards mandating independence in receivership or monitorship matters.

c. Insurance, bonding, and qualification details:

- Professional bonding (e.g., sureties), insurance coverage (E&O/liability), and documents evidencing compliance with court, statutory, or regulatory bonding requirements in fiduciary engagements.

2. Standing and Authority to Act as Receiver or Fiduciary:

a. Engagement and appointment records:

- All judicial or regulatory orders appointing AFS as receiver, trustee, or monitor, as well as engagement letters formalizing fiduciary authority in each action.

b. State and federal registration compliance:

- Active-state certifications (for Nevada and Oregon, in particular), annual filings, and any fiduciary or trust-related licensing required by governing authorities.

c. Trustee-specific documentation:

- Instruments, operating agreements, or fiduciary agreements verifying AFS's standing to take control of specific assets or funds.

d. Legal standing materials in this litigation:

- Documents showing Plaintiff's or Receiver's entitlement to any relief claimed in the current lawsuit, including standing to recover particular assets, enforce claims, or pursue equitable relief.

3. Recoverability and Tracing Evidence:

a. Forensic tracing reports/documentation:

- All forensic analyses or tracing reports used to identify and link recoverable funds to claims against Defendants.
- Transaction matching protocols or documentation used to support tracing assertions.

b. Records impacting amounts claimed recoverable:

- Settlement agreements, credit memos, insurance recoveries, write-offs, or third-party distributions already affecting the amount claimed.
- Disbursement records showing amounts removed from traceable funds or assigned to other claims.

c. Consolidated accounting workpapers and ledgers:

- Claims registers, bank reconciliations, escrow/project distributions, and ledgers used to support financial claims filed by AFS.

4. Litigation-Specific Verification:

a. Documents supporting performance claims:

- Specific distribution records, escrow statements, or court approvals validating outcomes self-reported by AFS (e.g., claims of investor recoveries in "SEC v. Sunwest Management, Inc." or "SEC v. Health Maintenance Centers").

b. Fee agreements and applications:

- Applications submitted to the court or regulatory bodies for payment approval, along with itemized time and work records substantiating fees or allocations.

Necessity to Compel Disclosure:

AFS has historically failed to publicly disclose operational standards, fee structures, and independence safeguards relevant to its fiduciary work. Additionally, its website's highlighted recoveries and litigation claims remain unsupported by independently documented evidence. Courts have held that mastery over critical client funds or receivership assets demands heightened transparency and disclosure. Compelling production of these operational and litigation-specific records ensures that fiduciary principles are upheld and mismanagement or overreach is avoided.

Request For Relief:

Defendants respectfully request this Court:

1. Order AFS and the Receiver to produce all documentation described in this Motion to Compel.
2. Require sworn statements affirming the completeness of disclosures.
3. Impose sanctions, including fees and other remedies, for failures to fully disclose or provide required materials under Rule 26 and Rule 34 of the Federal Rules of Civil Procedure.

Defendants further request any other relief this Court deems just and proper.

Dated: June 19, 2026

Respectfully submitted,

By: Warren Rosegreen

Warren Rosegreen

Warren Rosegreen

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ORDER ON MOTION TO COMPEL DISCLOSURE OF RECEIVERSHIP AUTHORITY, BONDING, INSURANCE, QUALIFICATION, AND FIDUCIARY RECORDS

This matter comes before the Court on Defendant's Motion to Compel the production of records regarding the Receiver's authority, bonding, insurance, qualifications, fiduciary records, disbursements, and related financial transactions. The Court, having reviewed the Motion, [any opposition filed], and the applicable legal authorities, hereby ORDERS as follows:

1. Production of Disbursement Records

The Receiver shall produce all records relating to disbursements made in connection with the fiduciary activities at issue in this case. Such records must include:

- Detailed disclosures of all payments made from trust or IOLTA accounts.
- Identifications of the date, amount, recipient, purpose, and any supporting approvals for each disbursement.
- Information concerning the Beasley Law Firm LLC IOLTA account or any other fiduciary-controlled accounts under the Receiver's management.

2. Production of Account Ledgers and Financial Transactions

The Receiver shall produce ledgers and financial transactions specifically related to:

- All segregated IOLTA or escrow accounts, including credits and debits.
- Corresponding bank statements or quarterly financial reports reflecting funds within the Receiver's fiduciary control.

3. Disclosure of Payroll, Fees, and Contracts

The Receiver must disclose all payroll and contract records related to individuals or entities compensated with receivership funds, including:

- Engagement letters, fee agreements, and billing invoices.
- Reports detailing bonuses, incentives, or extraordinary payments to service contractors, employees, or agents.

4. Forensic Tracing and Recovery Documentation

The Receiver shall provide documentation verifying its recovery efforts and tracing methodologies used to identify recoverable assets, including:

- Forensic tracing reports with clear links between recoverable funds and their sources.
- Calculations or reconciliation methods for recovery deficiencies claimed against the Defendant.
- Transaction records impacting amounts claimed recoverable, including settlement or credit adjustments.

5. Fiduciary Authority Records

The Receiver shall disclose documentation evidencing its authority, appointment, and qualifications to act as a fiduciary in this case, including:

- Appointment orders, regulatory authorizations, or judicial designations.
- Evidence of compliance with court or statutory bonding and qualification requirements.
- Disclosures of professional insurance coverage, public bonds, and other fiduciary safeguards.

6. Billing Practices and Engagement Structures

The Receiver is ordered to provide:

- Details regarding billing practices, including whether engagements are time-based, contingency-based, or follow other hybrid fee models.
- Fee agreements, applications, and supporting records submitted for approval regarding advisory engagements, asset audits, or recovery claims.

7. Independence and Transparency Policies

The Receiver shall produce documentation reflecting best practices for maintaining transparency and independence, including:

- Conflict-of-interest policies and safeguards against partiality in fiduciary engagements.
- Records of prior disclosures or relationships creating any potential conflicts.

8. Verification of Recoverability Claims and Disbursements

The Receiver must provide litigation-specific records validating performance claims, particularly:

- Reports and court approvals substantiating investor recoveries.

- Specific escrow statements or disbursement records corresponding to claims of recoverable funds.

9. Declaration of Completeness and Sanctions

The Receiver shall file a sworn affidavit affirming the completeness of disclosures produced in compliance with this Order. Failure to provide the required disclosures may warrant sanctions, including financial penalties, further discovery requests, or other remedies as appropriate under Rule 26 and Rule 37 of the Federal Rules of Civil Procedure.

Conclusion

The Defendant's Motion to Compel is GRANTED as detailed above. The Receiver is directed to comply within **[set timeframe, e.g., 30 days]** from the date of this Order. Failure to comply with this Order will result in further proceedings, including potential sanctions.

IT IS SO ORDERED.

DATED: _____

By: _____
UNITED STATES DISTRICT JUDGE