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7 *Attorneys for Receiver Geoff Winkler*

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 SECURITIES AND EXCHANGE
11 COMMISSION,

12 Plaintiff,

13 v.

14 MATTHEW WADE BEASLEY, *et al.*,

15 Defendant,

16 THE JUDD IRREVOCABLE TRUST, *et al.*,

17 Relief Defendants.
18

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

**NOTICE OF RELATED CASES
PURSUANT TO LR 42-1**

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19 PLEASE TAKE NOTICE that on May 5, 2023, a NOTICE OF RELATED CASES
20 PURSUANT TO LR 42-1 was entered in the United States District Court, District of Nevada (Las
21 Vegas), Case Number 2:23-cv-00703-APG-NJK, a copy of which is attached here to as **Exhibit**
22 **A.**

23 Dated: May 5, 2023.

SEMENZA KIRCHER RICKARD

/s/ Jarrod L. Rickard

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Attorneys for Receiver Geoff Winkler

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of May, 2023, a true and correct copy of the foregoing **NOTICE OF RELATED CASES PURSUANT TO LR 42-1** was filed electronically and served via the Court’s transmission of Notices of Electronic Filing generated by CM/ECF. Additionally, pursuant to LR 42-1, the Notice will be filed in each of the related actions and served on all parties in each action.

/s/ Angie Barreras
An Employee of Semenza Kircher Rickard

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EXHIBIT A

EXHIBIT A

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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 GEOFF WINKLER, as court-appointed receiver
20 for J&J Consulting Services, Inc., an Alaska
21 corporation; J&J Consulting Services, Inc., a
22 Nevada corporation; and J and J Purchasing LLC,
Florida limited liability company,

23 Plaintiff,

24 v.

25 WELLS FARGO BANK, N.A.,

26 Defendant.

Case No.: 2:23-cv-00703-APG-NJK

(Related Case: 2:22-cv-00612-CDS-EJY)
(Related Case: 2:22-cv-00529-GMN-NJK)

NOTICE OF RELATED CASES
PURSUANT TO LR 42-1

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1 Pursuant to Local Rule 42-1, Plaintiff, Geoff Winkler (the “Receiver”), provides notice of the
2 following related cases:

- 3 1. *SEC v. Beasley*, Case No. 2:22-cv-00612-CDS-EJY (D. Nev.) (the “SEC Action”),
- 4 pending before District Judge Cristina D. Silva and Magistrate Judge Elayna J. Youchah.
- 5 2. *In re J&J Investment Litigation*, Case No. 2:22-cv-00529-GMN-NJK (D. Nev.) (the
- 6 “Class Action”), pending before District Judge Gloria M. Navarro and Magistrate Judge
- 7 Nancy J. Koppe.

8 The Receiver submits that these two pending actions are related to the above-captioned
9 case (the “Receiver Action”) because (i) of their factual and legal overlap and (ii) if the Receiver
10 Action were heard by a different district judge or magistrate judge, it would entail substantial
11 duplication of labor. *See* LR 42-1(a).

12 The SEC Action is an enforcement action brought by the Securities and Exchange
13 Commission against, among others, Matthew Beasley for allegedly orchestrating a Ponzi scheme.
14 In the SEC Action, Judge Silva appointed the Receiver for, among others, J&J Consulting
15 Services, Inc., an Alaska corporation; J&J Consulting Services, Inc., a Nevada corporation; and J
16 and J Purchasing LLC, Florida limited liability company (collectively, the “Receivership
17 Entities”). It is in this capacity that the Receiver brings the Receiver Action, alleging that
18 Defendant Wells Fargo Bank, N.A., knowingly assisted Beasley in dissipating, misappropriating,
19 and diverting assets of the Receivership Entities. The Receiver thus seeks damages against Wells
20 Fargo on behalf of the Receivership Entities. Because the Judges overseeing the SEC Action have
21 been involved in the substantive claims alleged there and the Receiver’s administration of the
22 receivership estate, they are familiar with the general facts and occurrences underlying the alleged
23 Ponzi scheme, as well as the Receiver’s role.

24 The Class Action is a putative class action brought by investors of the Receivership Entities
25 against Wells Fargo. The Class Action similarly alleges that Wells Fargo is liable for its role in
26 assisting and enabling the Ponzi scheme. The Class Action and the Receiver Action thus share a
27 common defendant and similar theories of liability. The Class Action has proceeded beyond the
28 pleading stage, and the parties thereto have been engaged in active discovery for several months,

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1 with various discovery-related rulings and orders in place. The Receiver contends that discovery
2 taken from Wells Fargo in the Class Action is relevant to his claims in the Receiver Action. The
3 parties to the Receiver Action and the Class Action are presently discussing the coordination of
4 discovery, which would streamline the exchange of material across cases and avoid duplicative
5 discovery. Because of the stage of this proceeding, the Receiver believes the Judges overseeing
6 the Class Action are familiar with various facts and legal issues relevant to his claims in the
7 Receiver Action.

8 The Receiver submits that assignment to either Judges Navarro and Koppe or Judges Silva
9 and Youchah would conserve judicial resources and avoid the duplication of labor by the Court
10 and the parties.

11 Dated: May 5, 2023.

12 **SEMENZA KIRCHER RICKARD**

13 /s/ Jarrod L. Rickard

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