

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:19-cv-02594-RM-SKC

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MEDIATRIX CAPITAL INC., et al.,

Defendants,

And

MEDIATRIX CAPITAL FUND LTD., et al.,

Relief Defendants.

**STATEMENT BY ROBB EVANS & ASSOCIATES LLC REGARDING RECEIVER'S
STATUS**

TO THE HONORABLE RAYMOND P. MOORE, UNITED STATES DISTRICT JUDGE:

Comes now, Robb Evans & Associates LLC (“Robb Evans & Associates”) and submits the following statement concerning the Receiver’s status, pursuant to paragraph 39 of the Order Appointing Receiver (Doc. 153).

Brick Kane of Robb Evans & Associates is the Court-appointed Receiver in this matter, appointed pursuant to the Order Appointing Receiver. Mr. Kane was also the President of Robb Evans & Associates and the leader of the Receiver’s team in this receivership matter. After facing serious health issues in recent weeks, Mr. Kane passed away on October 2, 2021. Therefore, the Court-appointed Receiver can no longer serve as receiver in this matter.

Pursuant to paragraph 39 of the Order Appointing Receiver, the United States Securities and Exchange Commission (“SEC”) has been apprised of this development. The SEC has

advised the undersigned that it is in the process of vetting potential successor receiver candidates and will go to Court as soon as possible with a recommendation for a successor receiver.

Before a permanent successor receiver is appointed, Robb Evans & Associates has indicated to the SEC that it is willing and able to serve as a short-term interim receiver for a period not exceeding 30 days, through November 5, 2021. However, in late August of this year, Robb Evans, the founding member of Robb Evans & Associates, passed away after a lengthy illness. Given Mr. Kane's and Mr. Evans's passing and other circumstances, Robb Evans & Associates has determined that, beyond this 30-day period, it cannot discharge the duties of receiver in this matter in a manner it believes will adequately protect the interests of investors and other parties in interest. Therefore, Robb Evans & Associates respectfully requests that the Court consider and act promptly upon the SEC's request for an order appointing a successor receiver when it is presented. Robb Evans & Associates intends on fully assisting the permanent successor receiver in the transition period following the Court's appointment of a successor receiver, as needed.

Respectfully submitted,

DATED: October 6, 2021

/s/ Gary Owen Caris
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