

**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.

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**MOTION FOR ORDER APPROVING AND AUTHORIZING PAYMENT OF  
RECEIVER'S AND PROFESSIONALS' FEES AND COSTS  
FROM APRIL 1, 2023 THROUGH JUNE 30, 2023**

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**TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

Mark B. Conlan of Gibbons P.C., as receiver ("**Receiver**"), by and through his counsel, hereby moves this Court for an order approving and authorizing payment of Receivership fees and costs incurred for the period from April 1, 2023 through the end of the second quarter, June 30, 2023 (the "**Seventh Expense Period**" or "**Q2 2023**"). The Receiver specifically moves the Court for an order approving and authorizing payment of Receivership fees and reimbursement of costs (the "**Motion**" or the "**Quarterly Fee Application**") as follows:

a) Receiver's fees of \$6,475.00 in connection with services described in detail below as well as on the Receiver's invoice attached as Exhibit A to the Declaration of Mark B. Conlan filed contemporaneously herewith (the "**Conlan Declaration**");

b) Receiver's counsel Gibbons P.C.'s ("**Gibbons**") fees of \$69,379.35 and Gibbons' costs of \$62.24, for a total of \$69,441.59 in connection with services described in detail below as well as on the Gibbons invoice attached as Exhibit A to the Declaration of David N. Crapo filed contemporaneously herewith (the "**Crapo Declaration**") and together with the Conlan Declaration (the "**Conlan and Crapo Declarations**");

c) Receiver's accountants, Rocky Mountain Advisory, LLC's ("**RMA**"), fees of \$3,621.00 and RMA's costs of \$122.36 for a total of \$3,743.36 in connection with services described in detail below as well as on RMA's invoice attached as Exhibit B to the Conlan Declaration.

d) Receiver's litigation local counsel in Washington State, Corr Cronin LLP, ("**Corr Cronin**") fees of \$424.80 in connection with services described in detail below as well as on Corr Cronin's invoice attached as Exhibit C to the Conlan Declaration.

### **INTRODUCTION**

This is the seventh Quarterly Fee Application pursuant to the Receiver Order (as defined below), and covers the Seventh Expense Period, from April 1, 2023 through June 30, 2023. The Motion is based on the memorandum of points and authorities below, the Conlan and Crapo Declarations, upon the pleadings, records and files of the Court in this case of which the Receiver requests the Court to take judicial notice, including without limitation the *Report of Receiver's*

*Activities from April 1, 2023 through June 30, 2023* [ECF No. 434] (the “**Receiver’s Seventh Report**”) and such other evidence as may be provided by the Receiver in support of the Motion.

The Motion is made pursuant to paragraphs 45-48 of the Order Appointing Receiver (ECF No. 153) (the “**Receiver Order**”).<sup>1</sup> Paragraph 45 of the Receiver Order specifically provides for the Receiver to apply for compensation and expense reimbursement on a quarterly basis from Receivership Funds within 75 days after the end of each calendar quarter.

**STATEMENT REGARDING DUTY TO CONFER  
PURSUANT TO D.C. COLO. LCivR 7.1(a)**

Pursuant to paragraph 45 of the Receiver Order, the Receiver is required to serve upon counsel for the United States Securities and Exchange Commission (“**SEC**” or “**Plaintiff**”) a complete copy of the Motion, together with all exhibits and relevant billing information in a format approved by the SEC within 30 days prior to filing the Motion. The Plaintiff has indicated that it has no objection to this Motion.

We have advised the following parties or their counsel of this Quarterly Fee Application in advance: the SEC; Mediatrix Capital Inc., Blue Isle Markets Inc., Blue Isle Markets Ltd., Bryant E. Sewall, Hanna Ohonkova Sewall, Michael S. Young, Maria C. Young, Salve Regina Trust, West Beach LLC, TF Alliance LLC, Hase Haus LLC and Casa Conejo LLC, as well as to counsel for defendant Michael S. Stewart and pro se relief defendant Victoria M. Stewart. We have been advised by counsel for the SEC, and counsel for the Sewalls; Mediatrix Capital Inc., Blue Isle Markets Inc., and Blue Isle Markets Ltd. and counsel for the Youngs that their clients have no

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<sup>1</sup> Capitalized terms not otherwise defined herein have the meaning ascribed to such terms in the Receiver Order.

objection to the Quarterly Fee Application. We did not receive a response from the Stewarts or Michael Stewart's counsel.

The Receiver Order requires that the Court rule on the Motion for the payment of the Receiver's fees and expenses and those of its counsel and other professionals [ECF No. 153]. In addition the Receiver Order specifies certain procedures in connection with the Quarterly Fee Application for approval and authorization for Receiver's fees and cost reimbursement as generally described above and as set forth in detail at paragraphs 45-48 of the Receiver Order.

**MEMORANDUM OF POINTS AND AUTHORITIES,**  
**STATEMENT OF FACTS AND SUMMARIES OF SERVICES**

**Introduction and Statement of Facts**

On September 11, 2020 the Court entered the Receiver Order appointing Brick Kane of Robb Evans & Associates LLC (the "**Original Receiver**") as receiver over the (1) Entity Defendants; (2) the Receivership Assets of the Individual Defendants; and (3) the Recoverable Assets of the Receivership Relief Defendants. [ECF No. 153 at p. 2.] The Receiver Order provides that "[t]he Receiver shall have all powers, authorities, rights and privileges heretofore possessed by the officers, directors, managers and general and limited partners of the Receivership Defendants and the Receivership Relief Defendants under applicable state and federal law, by the governing charters, by-laws, articles and/or agreements in addition to all powers and authority of a receiver at equity, and all powers conferred upon a receiver by the provisions of 28 U.S.C. §§ 754, 959 and 1692, and Federal Rule of Civil Procedure 66." (*Id.* at ¶ 1.)

On October 20, 2021, a docket order was entered substituting Mark Conlan of Gibbons P.C. as Receiver in this case, to function under the terms and conditions of the existing Receiver Order. (the "**Appointment Order**") [ECF No. 284]

The Original Receiver’s duties and responsibilities under the Receiver Order required him to, among other things, identify, account for, and preserve and protect Receivership assets. To that end, the Receiver Order allowed him to “engage and employ persons in his discretion to assist him in carrying out his duties and responsibilities [under the Receiver Order], including, but not limited to ... attorneys ...” (*Id.* at ¶ 4.F.)

#### **SUMMARY OF SERVICES BY RECEIVER AND HIS COUNSEL, GIBBONS P.C.**

##### **Litigation; Sale Motion/363 Sales; Business Operations; Fee Application; Status Reports; Employment Applications; Case Administration; Tax Issues; Claims; Data Analysis; and Asset Analysis and Recovery**

During the Seventh Expense Period, the Receiver has communicated with personnel from the offices of the Plaintiff, offices of counsel for certain Defendants, pro se Defendants, as well as insurance brokers regarding insurance coverage. The Receiver and his staff also communicated with various parties regarding avoidance claims, real property assets, personal property assets, and other assets. The Receiver has also responded to investor inquiries.

During the Seventh Expense Period, Receiver’s counsel prepared and filed the *Report of Receiver’s Activities from January 1, 2023 through March 31, 2023* [ECF No. 423] and *Motion for Order Approving and Authorizing Payment of Receiver’s and Professionals’ Fees and Costs from January 1, 2023 through March 31, 2023* [ECF No. 425] (the “Q1 Fee Application”). The Q1 Fee Application was approved by order dated June 12, 2023 [ECF 428].

During Q2 2023, the Receiver’s counsel negotiated the sale of a damaged 2014 39’ SeaVee motor vessel, the “M/V Currenseas,” to Compass Solutions International Limited in The Bahamas. This sale was complicated by the fact that the title to the vessel was not originally in the name of any defendant or relief defendant, requiring multiple applications/submissions to the United States

Coast Guard. The Receiver prepared and filed his *Unopposed Motion of Receiver for an Order Authorizing Sale of 2014 39' Seavee Motor Vessel and Boat Lift* [ECF No. 417] (the “Seavee Sale Motion”) on April 11, 2023, which motion was granted by order entered on April 20, 2023 [ECF No. 420].

To provide investors and other interested parties with timely information regarding the status of the receivership, the Receiver and his team engaged a web designer in January 2022 to develop a receivership website ([mediatrixreceivership.com](http://mediatrixreceivership.com)). One of the paraprofessionals of Receiver’s counsel has been maintaining and updating the website throughout the period to reflect significant activity in matters related to the receivership. During the Q2 2023 period, the Receiver’s professionals and paraprofessional continued to work with the web designer on an extensive Frequently Asked Questions (“FAQ”) page that was added to the website and went live during Q2 2023.

During the Q2 2023 period, Receiver’s counsel obtained an *Order for Default Judgment* against one Broker defendant and explored collection avenues. This Order constituted the final pending matter against a Broker defendant (the remainder have been settled or abandoned on a cost/benefit basis). Prior to Q2 2023, Receiver’s counsel had settled or abandoned claims against all Net Winner defendants. As of Q2 2023, Receiver’s counsel continues to collect and monitor monthly settlement installments received from two Broker defendants and two Net Winner defendants.

The Receiver remained in communication or negotiations with several charitable entities to recover certain donations they received from Defendant Michael Young. The Receiver and his counsel continued to analyze information relevant to resolving claims against charities. During

Q2 2023, the Receiver's counsel has finalized settlement negotiations with one final charity and anticipates an executed settlement agreement and payment by August 11, 2023. With the resolution of this final claim against a charity, the Receiver and his predecessor will have obtained \$154,500 in recoveries on payments to charities. To date the Receiver has negotiated and collected a total of \$735,763.00 in settlement payments in avoidance actions of which \$25,288.00 was received during the Seventh Expense Period.

During the Seventh Expense Period, the Receiver's counsel completed its review of more than 43,000 pages received in late 2022 from Equiti UK, Ltd. [the "Equiti Production"] concerning its relationship and transactions with the entity defendants to assist in determining whether the Receivership Estate has any viable claims against Equiti UK, Ltd., and/or its affiliates and whether, considering the delays, expenses and risks inherent in litigation, bringing such litigation would be cost effective. After analyzing the information contained in the documents, considering various theories of recovery and consultation with the SEC, the Receiver and his counsel concluded that it would not be cost-effective to bring any actions against either Equiti UK, Ltd. and/or its affiliates.

Further, the Receiver has continued to identify and analyze data and discovery as well as perform legal research in support of other potential causes of action. The Receiver's counsel conducted due diligence to determine the current addresses of individuals ("**Asset Freeze Violators**") who had participated in the violation of the Court's asset freeze order entered in this case on September 13, 2019 [ECF 10]. Having received no responses to his demand letters to the Asset Freeze Violators, Receiver's counsel have determined which of the Asset Freeze Violators to sue to recover funds diverted from the receivership estate in this case. The Receiver and his counsel have determined updated addresses for Asset Freeze Violators and considered all theories

of recovery available under applicable law (primarily the laws of Arizona, Colorado and Wyoming). The Receiver and his counsel continued drafting, reviewing and revising a complaint against the Asset Freeze Violators and intend to file such complaint(s) in the near future.

### **SUMMARY OF SERVICES BY OTHER RECEIVER PROFESSIONALS**

#### **Rocky Mountain Advisory LLC**

The majority of RMA's services provided during the Seventh Expense Period were related to Receivership operations and included but are not limited to the following: preparation of financial exhibits to the Quarterly Report for the 1st Quarter of 2023; communications with the Receiver and his counsel at Gibbons; accounting services such as receipt of funds and preparation of payments to vendors and professionals; work on tax-related matters; analysis of investor data; analysis of bank and financial documents; as well as maintaining the Receivership Estate's books and records. For additional detail, please see time entries on Exhibit B to the Conlan Declaration.

#### **Corr Cronin LLP**

The Receiver and his counsel communicated with Seattle local counsel, Corr Cronin LLP, regarding settlement and dismissal of a Net Winner avoidance action in Washington State Court. For additional detail, please see time entries on Exhibit C to the Conlan Declaration.

#### **Receiver Order Requirements for Applications for Compensation**

Paragraph 45 of the Receiver Order provides for the Receiver to apply for compensation and expense reimbursement on a quarterly basis from Receivership Funds within 75 days after the end of each calendar quarter. Further, paragraph 45 provides that 30 days prior to the filing of such motion, the Receiver is required to serve upon counsel for the SEC a complete copy of the motion, together with all declarations, exhibits and relevant billing information in a format



approved by the SEC, which the Receiver has done.

Paragraph 46 of the Receiver Order provides that all Quarterly Fee Applications will be interim and subject to cost benefit and final reviews at the close of the Receivership. Paragraph 48 of the Receiver Order provides, among other things, that each Quarterly Fee Application shall comply with the terms of the Billing Instructions provided by the SEC to the Receiver; shall represent that the fees and expenses were incurred in the best interests of the Receivership Estate; and that the Receiver has not entered into any agreement with any person or entity concerning the amount of any compensation paid or to be paid from the Receivership Estate, or any sharing thereof. The requisite certifications are contained in the Conlan and Crapo Declarations.

**FEES AND COSTS OF THE RECEIVER AND  
HIS PROFESSIONALS ARE REASONABLE**

It is a fundamental tenet of receivership law that expenses of administration incurred by the receiver, including those of the receiver, his counsel and others employed by him, constitute priority expenses for which compensation should be paid from the assets of the receivership. As explained in the leading treatise CLARK ON RECEIVERS:

The obligations and expenses which the court creates in its administration of the property are necessarily burdens on the property taken possession of, and this, irrespective of the question who may be the ultimate owner, or who may have the preferred lien, or who may invoke the receivership. The appointing court pledges its good faith that all duly authorized obligations incurred during the receivership shall be paid.

2 Clark, Ralph Ewing, *A Treatise on the Law and Practice of Receivers* § 637, p. 1052 (3rd ed. Rev. 1992).

The Receiver is an officer of the Court charged with a myriad of duties under the Receiver Order. Many of those duties, particularly at the outset of the appointment, do not lead to the direct and immediate recovery of assets or increase in the funds available for distribution to creditors.

Because of the nature of the administrative and other services required in receiverships, the benefit a receiver confers on receivership property cannot be determined based solely on the increase or decrease in the value of property in the receiver's possession. As the Court explained in *Securities and Exchange Comm'n v. Elliott*, 953 F. 2d 1560, 1577 (11th Cir. 1992):

[I]t is sometimes difficult to ascertain what type of benefits a receiver has bestowed on receivership property [A] benefit to a secured party may take more subtle forms than a bare increase in monetary value. Even though a receiver may not have increased, or prevented a decrease in, the value of the collateral, if a receiver reasonably and diligently discharges his duties, he is entitled to compensation. [Citations omitted.]  
*Id* at 1577.

The Court has broad discretion in determining the reasonableness of fees to be awarded a receiver. *See In re San Vicente Medical Partners Ltd.*, 962 F. 2d 1402, 1409-1410 (9th Cir. 1992). The Court may evaluate the time and effort expended by the Receiver with respect to specific projects and aspects of the administration of the estate, and may look to a number of different factors under the case law in approving receiver's and counsel's fees. *Id.* at 1409-1410.

This Motion establishes that during the Seventh Expense Period, the Receiver and his professionals rendered reasonable, necessary and valuable services for the Receivership Estate that were beneficial to the Receivership Estate and the parties in interest. As demonstrated herein, including the supporting declarations and exhibits, the Receiver and his professionals have performed substantial and wide-ranging tasks that were beneficial to the Receivership Estate, including directly bringing funds into the Receivership Estate so that these funds could not be diverted, misused or concealed, as well as taking possession and control of parcels of real property and laying the groundwork for the subsequent sale of that property for the benefit of the Receivership Estate. *See Federal Trade Comm'n v. Capital Acquisitions & Mgmt. Corp.*, 2005

U.S. Dist. LEXIS 18504 (N.D. Ill. August 26, 2005). The Receiver submits the fees are reasonable in light of the services rendered, and the fees and costs requested should be awarded in their entirety.

The Receiver has sufficient funds on hand to pay the fees and costs incurred through June 30, 2023 and requested in the Motion. Based on the cash on hand reported in the Receiver's Seventh Report, the Receivership Estate was holding \$24,362,087.00 net of accrued and unpaid fees and costs totaling \$79,660.00.

### **CONCLUSION**

The Receiver respectfully requests that the Court grant the Motion in its entirety, authorize and approve for payment all of the fees incurred by the Receiver and his professionals as set forth herein and enter the proposed order submitted concurrently herewith.

Respectfully submitted,

Dated: August 24, 2023

**GIBBONS P.C.**

By: /s/ David N. Crapo  
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*Counsel to Mark B. Conlan, as Receiver*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 24, 2023, I caused the foregoing to be electronically filed by means of the CM/ECF system which will send notification of such filing to parties or counsel registered with CM/ECF.

Further on the same date, I certify that I have caused the foregoing to be emailed to the parties as indicated on the attached service list.

Further on the same date, I certify that I have caused a copy of the foregoing to be mailed to the following non-CM/ECF participant: Aaron Stewart, 23800 North 73<sup>rd</sup> Place, Scottsdale, AZ 85255.

/s/ David N. Crapo

**SERVICE LIST**

**VIA CM/ECF and EMAIL**

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*Designation: Public Defender or Community  
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**VIA U.S. MAIL**

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

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UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

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MEDIATRIX CAPITAL INC., *et al.*,

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and

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Relief Defendants.

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**DECLARATION OF MARK B. CONLAN, ESQ., RECEIVER, IN SUPPORT OF THE  
MOTION FOR ORDER APPROVING AND AUTHORIZING PAYMENT OF  
RECEIVER'S AND PROFESSIONALS' FEES AND COSTS  
FROM APRIL 1, 2023 THROUGH JUNE 30, 2023**

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I, Mark B. Conlan, of full age, hereby declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a Director with the firm of Gibbons P.C. and the Court-appointed Receiver in the above-captioned case pursuant to the Court's Order entered on October 20, 2021 [ECF No. 284] ("**Substitute Appointment Order**"). I have personal knowledge of the matters set forth in this declaration and if I were called upon to testify as to these matters I could and would competently testify thereto.

2. This Declaration is submitted in support of the *Motion for Order Approving and Authorizing Payment of Receiver's and Professionals' Fees and Costs from April 1, 2023 through June 30, 2023* (the "**Seventh Quarterly Fee Application**").

3. The Substitute Appointment Order directs me to function under the terms and conditions of the existing Order Appointing Receiver [ECF No. 153] ("**Receiver Order**").

4. Upon my appointment on October 20, 2021, I selected Gibbons P.C. to act as my counsel, effective the same date. On November 1, 2021, upon motion, the Court authorized the retention of Gibbons in the *Order Granting Unopposed Motion of Receiver, Mark B. Conlan, for Order Authorizing Employment of Gibbons P.C. as Counsel for the Receiver Nunc Pro Tunc to October 20, 2021* [ECF No. 291]. The invoice for Gibbons services in the Seventh Expense Period<sup>1</sup> is attached as Exhibit A to the Declaration of David N. Crapo filed contemporaneously herewith.

5. Attached hereto as Exhibit A is a true and correct copy of the Receiver's invoice for fees of \$6,475.00 for the Seventh Expense Period.

6. Attached hereto as Exhibit B is a true and correct copy of the Receiver's accountants, Rocky Mountain Advisory, LLC's, ("**RMA**") invoice for RMA's fees of \$3,621.00 and RMA's costs of \$122.36 for a total of \$3,743.36 for the Seventh Expense Period.

7. Attached hereto as Exhibit C is a true and correct copy of Washington Local Counsel, Corr Cronin LLP's ("**Corr Cronin**") invoice for Corr Cronin's fees of \$424.80 for the Seventh Expense Period.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Seventh Quarterly Fee Application.

8. In accordance with the Receiver Order, I certify that the Seventh Quarterly Fee Application complies with the terms of the Billing Instructions provided by the SEC to the Receiver.

9. Further, I certify that the fees and costs in the Seventh Quarterly Fee Application were incurred in the best interests of the Receivership Estate.

10. Further, I certify that I have not entered into any agreement with any person or entity concerning the amount of any compensation paid or to be paid from the Receivership Estate, or any sharing thereof.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 9, 2023 at Newark, New Jersey.

By: /s/ Mark B. Conlan, Esq.  
Mark B. Conlan, Esq.



# **EXHIBIT A**

17  
**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106197	<b>Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
03/23/2023	E-mails with J. Gifford re: preparation of 2022 tax returns.		02062	MC2	0.10	\$35.00
04/03/2023	Attend to e-mails with E. Rosen and M. Miller (web designer) re: updates to Receiver's website.		02062	MC2	0.10	\$35.00
04/03/2023	E-mails with J. Curtis re: EastWest Bank account.		02062	MC2	0.10	\$35.00
04/03/2023	E-mails with Wilmington Trust and Freedom Bank re: funding wire.		02062	MC2	0.10	\$35.00
04/03/2023	Telephone call with J. Licursi and C. Romeo at Connect One Bank re: opening new account.		02062	MC2	0.20	\$70.00
04/03/2023	Review and sign wire authorization to move remaining balance in EastWest investors account to Wilmington Trust; e-mails with R. Ereksen re: same.		02062	MC2	0.10	\$35.00
04/03/2023	Telephone call with EastWest Bank confirming outgoing wire transfer to Wilmington Trust.		02062	MC2	0.10	\$35.00
04/03/2023	Review outbound wire confirmation from EastWest Bank; draft follow-up e-mail to H. Owen at Wilmington Trust re: inbound wire.		02062	MC2	0.10	\$35.00
04/04/2023	Draft written direction letter to Wilmington Trust (0.2); e-mails with H. Owen re: same (0.1).		02062	MC2	0.30	\$105.00
04/05/2023	Review and respond to e-mail from investor re: case status and claims process (0.2); attend to follow-up e-mails with J. Curtis and E. Rosen re: same (0.2).		02062	MC2	0.40	\$140.00
04/05/2023	Review March account balances (0.2); update spreadsheet with same (0.1).		02062	MC2	0.30	\$105.00
04/05/2023	Attend to e-mails with H. Owen and L. Misner re: one month T-Bills.		02062	MC2	0.10	\$35.00
04/05/2023	Telephone call with Connect One Bank re: corporate resolution.		02062	MC2	0.10	\$35.00
04/05/2023	Set up online access with Freedom Bank.		02062	MC2	0.20	\$70.00
04/10/2023	Review EastWest Bank statements for March 2023.		02062	MC2	0.10	\$35.00
04/12/2023	Telephone call with Lisa Kramer at Freedom Bank re: online access.		02062	MC2	0.10	\$35.00
04/12/2023	Review account balances at Wilmington Trust; Freedom Bank and EastWest Bank (0.2); update spreadsheet re: same (0.1);		02062	MC2	0.30	\$105.00
04/12/2023	Prepare written direction letter to Wilmington Trust re: T-Bill purchase.		02062	MC2	0.10	\$35.00
04/12/2023	Attend to e-mails with R. Fitzgerald and team re: data hosting invoice from Epiq.		02062	MC2	0.20	\$70.00
04/12/2023	E-mails with Wilmington Trust re: purchase of additional T-Bills.		02062	MC2	0.10	\$35.00
04/12/2023	Review and revise, sign and transmit Written Direction to Wilmington Trust to purchase T-Bills.		02062	MC2	0.40	\$140.00
04/12/2023	Telephone call with H. Owen at Wilmington Trust re: confirming purchase of new T-Bills.		02062	MC2	0.10	\$35.00
04/12/2023	Review ticket confirming T-Bill purchase.		02062	MC2	0.10	\$35.00
04/13/2023	Review and approve Epiq data hosting invoice for payment; e-mails with R. Ereksen re: same.		02062	MC2	0.10	\$35.00
04/18/2023	Review, sign and have notarized Coast Guard Bill of Sale for M/V Currenseas.		02062	MC2	0.20	\$70.00
04/21/2023	Review account balances (0.2); update spreadsheet (0.2).		02062	MC2	0.40	\$140.00
04/21/2023	Review RMA Q1 2023 Invoice.		02062	MC2	0.10	\$35.00
04/21/2023	Attend to e-mails with R. Ereksen re: wire information for sale of M/V Currenseas.		02062	MC2	0.10	\$35.00
04/25/2023	Update bank balances (0.1); prepare e-mail to D. Barney, R. Malone and T. Cafferty with account information and folder with T-Bill trade confirmations (0.2).		02062	MC2	0.30	\$105.00
04/25/2023	E-mails with R. Malone re: completion of know-your-customer (KYC) package for Freedom Bank.		02062	MC2	0.10	\$35.00
04/25/2023	E-mails with J. Cunningham, D. Barney, R. Ereksen and J. Curtis re: closing on sale of M/V Currenseas.		02062	MC2	0.20	\$70.00
04/26/2023	E-mails with R Ereksen re: journal entry for receipt of proceeds from the sale of the M/V Currenseas.		02062	MC2	0.10	\$35.00
04/26/2023	E-mails with SEC team re: receivership website.		02062	MC2	0.10	\$35.00
04/27/2023	E-mails with E. Rosen and M. Miller re: website content.		02062	MC2	0.10	\$35.00
05/01/2023	Download Wilmington Trust March Account Statements.		02062	MC2	0.10	\$35.00
05/03/2023	Review account balances.		02062	MC2	0.10	\$35.00
05/04/2023	E-mails with D. Barney and R. Malone re: maturing T-Bills.		02062	MC2	0.10	\$35.00
05/05/2023	Review Freedom Bank statement for April (0.1); e-mails with Freedom Bank and RMA about correcting interest rate (0.1).		02062	MC2	0.20	\$70.00
05/08/2023	Review Epiq data hosting invoice for April 2023 (0.1); e-mails with team re: same (0.1).		02062	MC2	0.20	\$70.00
05/09/2023	Attend to e-mails with D. Crapo and J. Deckenbach re: notice of cancellation of insurance on Scottsdale property (0.1); calendar same (0.1).		02062	MC2	0.20	\$70.00
05/09/2023	Attend to e-mails with R. Ereksen re: approval of payment of Epiq Invoice.		02062	MC2	0.10	\$35.00
05/09/2023	E-mails with L. Kramer at Freedom Bank re: authorized signors on account.		02062	MC2	0.10	\$35.00

17  
**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106197	<b>Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
05/09/2023	Review Wilmington Trust April statements; forward same to R. Erekson.		02062	MC2	0.10	\$35.00
05/10/2023	E-mails with Wilmington Trust re: T-Bills and Congressional Debt Ceiling.		02062	MC2	0.10	\$35.00
05/10/2023	Zoom call with D. Barney, H. Owens and L. Misner re: T-Bills and Congressional debt ceiling (0.6), follow-up call with D. Barney re: same (0.2).		02062	MC2	0.80	\$280.00
05/10/2023	Attend to e-mails with Freedom Bank re: interest rate.		02062	MC2	0.10	\$35.00
05/10/2023	Prepare for and meet E. Vieth at PNC Bank re: opening new account.		02062	MC2	0.50	\$175.00
05/11/2023	Review East West Bank Statements for April 2023; update account spreadsheet.		02062	MC2	0.10	\$35.00
05/15/2023	Telephone call with Edith Vieth of PNC Bank re: opening new bank account.		02062	MC2	0.10	\$35.00
05/16/2023	Review and sign bill of sale for boat lift (0.1); e-mails and telephone call with D. Barney re: same (0.2).		02062	MC2	0.30	\$105.00
05/16/2023	Review Wilmington Trust balances.		02062	MC2	0.10	\$35.00
05/17/2023	Fact research for insurance on Bahamas condos (0.3); e-mails with CAC Specialty Insurance re: same (0.2).		02062	MC2	0.50	\$175.00
05/17/2023	Telephone call with E. Rosen re: FAQ sheet for website.		02062	MC2	0.10	\$35.00
05/17/2023	Review and process payment for Epiq for data hosting services.		02062	MC2	0.10	\$35.00
05/17/2023	E-mails with E. Rosen re: posting prior orders to receivership website.		02062	MC2	0.10	\$35.00
05/17/2023	Attend to e-mails with E. Rosen and web designer (M. Miller) re: FAQs.		02062	MC2	0.10	\$35.00
05/18/2023	Attend to e-mails with Peter Auberg re: insurance coverage for Mira Mar Villas in the Bahamas.		02062	MC2	0.20	\$70.00
05/18/2023	Attending to insurance for Bahamas condos.		02062	MC2	0.20	\$70.00
05/18/2023	Telephone call with E. Vieth of PNC Bank about opening new account.		02062	MC2	0.10	\$35.00
05/18/2023	Telephone call with A. Gries re: insurance coverage for Bahamas condos.		02062	MC2	0.10	\$35.00
05/23/2023	Telephone calls with PNC Bank re: status of new account.		02062	MC2	0.20	\$70.00
05/23/2023	Review bank balances; update spreadsheet.		02062	MC2	0.10	\$35.00
05/23/2023	E-mails with Wilmington Trust re: transferring funds from checking to money market fund (0.1); prepare and transmit Written Direction letter (0.2); telephone call with D. Barney re: same (0.1).		02062	MC2	0.40	\$140.00
05/23/2023	E-mails with Freedom Bank re: account status.		02062	MC2	0.10	\$35.00
05/23/2023	Draft and deliver Written Direction Letter for purchase of \$500,000 in 30-day T-Bills (0.2); revisions to same (0.1).		02062	MC2	0.30	\$105.00
05/23/2023	Review EastWest Bank April Statement.		02062	MC2	0.10	\$35.00
05/30/2023	Conference call with J. Wolak of Gibbons and M. Schein of Marsh McLennan Agency re: insurance for Bahamas condos.		02062	MC2	0.30	\$105.00
05/31/2023	Review T-Bill trade confirmation.		02062	MC2	0.10	\$35.00
05/31/2023	Attending to Freedom Bank signature card (0.1); e-mails with L. Kramer and R. Malone re: same (0.1).		02062	MC2	0.20	\$70.00
06/01/2023	Attend to new account signature card for Wilmington Trust.		02062	MC2	0.20	\$70.00
06/01/2023	E-mails with M. Wisbey at EastWest Bank re: updating account signature cards.		02062	MC2	0.10	\$35.00
06/01/2023	Review May closing account balances at Freedom Bank, EastWest Bank and Wilmington Trust (0.2); e-mails with Wilmington Trust re: transferring funds to EastWest Bank (0.1).		02062	MC2	0.30	\$105.00
06/01/2023	Telephone call with T. Parker at Wilmington Trust confirming change in Signature Card.		02062	MC2	0.10	\$35.00
06/01/2023	Prepare and deliver Written Direction Letter to Wilmington Trust transferring funds to East West Bank to cover upcoming fee applications.		02062	MC2	0.30	\$105.00
06/01/2023	Telephone calls with T. Parker at Wilmington Trust and R. Malone confirming outgoing wire to East West Bank (0.1); follow-up e-mails with M. Wisbey at East West Bank re: same (0.1).		02062	MC2	0.20	\$70.00
06/02/2023	E-mails with L. Misner at M&T Bank re: June T-Bill maturities.		02062	MC2	0.10	\$35.00
06/02/2023	Telephone calls with John Krogman re: availability of an IntraFi insured account.		02062	MC2	0.30	\$105.00
06/05/2023	E-mails with K. Schauer, R. Erekson and T. Ashmore re: renewal of Florida property insurance.		02062	MC2	0.20	\$70.00
06/05/2023	Prepare for and participate in conference call with D. Barney and J. Krogman and M. Boyd at Axos Bank.		02062	MC2	0.50	\$175.00
06/05/2023	Review and update account balances.		02062	MC2	0.20	\$70.00
06/06/2023	Review and approve payment of We Insure invoice for GL coverage for Port Charlotte lots.		02062	MC2	0.10	\$35.00
06/06/2023	Attend to e-mails with I. Herrington and P. Smith re: insurance requirements at One Ocean Place in the Bahamas.		02062	MC2	0.20	\$70.00
06/07/2023	Review May account statement from Freedom Bank.		02062	MC2	0.10	\$35.00
06/08/2023	Review Epiq invoices for May data hosting services; e-mails with R. Erekson re: same.		02062	MC2	0.10	\$35.00

17  
**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106197	<b>Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
06/12/2023	Attend to e-mails with RMA re: payment of approved professional fees.		02062	MC2	0.10	\$35.00
06/13/2023	E-mails with L. Misner from M&T Bank re: maturing T-Bills.		02062	MC2	0.30	\$105.00
06/13/2023	Review and approve payment of professional fees.		02062	MC2	0.10	\$35.00
06/13/2023	Review account balances.		02062	MC2	0.20	\$70.00
06/13/2023	Prepare written directions for September T-Bill Maturities.		02062	MC2	0.30	\$105.00
06/13/2023	Revisions to written directions to Wilmington Trust for September T-Bill purchases (0.3); execute and transmit same to bank (0.1).		02062	MC2	0.40	\$140.00
06/14/2023	Telephone call with H. Field at Wilmington Trust re: written directions for T-Bill purchases.		02062	MC2	0.10	\$35.00
06/14/2023	Review and revise written directions for T-Bill purchases (0.3); e-mails with H. Field at Wilmington Trust re: same (0.1).		02062	MC2	0.40	\$140.00
06/19/2023	Telephone call with Darren Chaston at Marsh McClellan : condo insurance for the Bahamas.		02062	MC2	0.20	\$70.00
06/20/2023	E-mails with L. Misner at M&T Bank re: maturing T-Bills.		02062	MC2	0.10	\$35.00
06/20/2023	Draft written direction letter for maturing T-Bills.		02062	MC2	0.20	\$70.00
06/20/2023	Telephone call with H. Fields at Wilmington Trust re: T-Bill purchase confirmations; e-mails re: same.		02062	MC2	0.10	\$35.00
06/21/2023	Review account balances; update written direction letter to Wilmington Trust; telephone call to H. Field re: same (0.1); e-mails with L. Misner re: upcoming T-Bill rates and maturities (0.1).		02062	MC2	0.20	\$70.00
06/21/2023	Prepare and serve written direction to transfer \$500,000 in matured T-Bill to interest bearing account (0.1); serve same (0.1).		02062	MC2	0.20	\$70.00
06/21/2023	Prepare and send written direction for July 25 maturity T-Bill to Wilmington Trust.		02062	MC2	0.20	\$70.00
06/27/2023	Review account balances (0.1), e-mail H. Fields and L. Misner at Wilmington Trust seeking copy of June 21 trade confirmation (0.1).		02062	MC2	0.20	\$70.00
<b>Sub-Total For Task:</b>					<b>18.50</b>	<b>\$6,475.00</b>
<b>Total For Matter:</b>					<b>18.50</b>	<b>\$6,475.00</b>
<b>Totals For Client:</b>					<b>18.50</b>	<b>\$6,475.00</b>

**Gibbons P.C.**

Time Summary  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106197	<b>Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.</b>

<b>Atty Code</b>	<b>Initials</b>	<b>Attorney Name</b>	<b>Position</b>	<b>Hours</b>	<b>Avg Rate</b>	<b>Value</b>
02062	MC2	Conlan, Mark	Director	18.50	\$350.00	\$6,475.00
<b>Totals:</b>				<b>18.50</b>		<b>\$6,475.00</b>

**Gibbons P.C.**

Fee Application  
Run Date: 7/20/2023

<b>Client/Matter:</b>	117199	Mark Conlan
	106197	Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.

<b>Task/ Code</b>	<b>Description Of Services</b>	<b>Hours</b>	<b>Value</b>
B70	Tax Issues	0.10	\$35.00
B58	Fee Applications	0.20	\$70.00
B53	Case Administration	0.20	\$70.00
B52	Business Operations	17.10	\$5,985.00
B51	Sale Motion/363 Sales	0.90	\$315.00
<b>Totals:</b>		<b>18.50</b>	<b>\$6,475.00</b>

**Gibbons P.C.**

Fee Application  
Run Date: 7/20/2023

<b>Client/Matter:</b>	<b>117199</b>	<b>Mark Conlan</b>
	<b>106197</b>	<b>Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.</b>

<b>Task Code</b>	<b>Description Of Services</b>	<b>Hours</b>	<b>Value</b>
<b><u>B70</u></b>	<b><u>Tax Issues</u></b>		
	02062 Conlan, Mark	0.10	\$35.00
<b>B70</b>	<b>Tax Issues</b>	<b>0.10</b>	<b>\$35.00</b>
<b><u>B58</u></b>	<b><u>Fee Applications</u></b>		
	02062 Conlan, Mark	0.20	\$70.00
<b>B58</b>	<b>Fee Applications</b>	<b>0.20</b>	<b>\$70.00</b>
<b><u>B53</u></b>	<b><u>Case Administration</u></b>		
	02062 Conlan, Mark	0.20	\$70.00
<b>B53</b>	<b>Case Administration</b>	<b>0.20</b>	<b>\$70.00</b>
<b><u>B52</u></b>	<b><u>Business Operations</u></b>		
	02062 Conlan, Mark	17.10	\$5,985.00
<b>B52</b>	<b>Business Operations</b>	<b>17.10</b>	<b>\$5,985.00</b>
<b><u>B51</u></b>	<b><u>Sale Motion/363 Sales</u></b>		
	02062 Conlan, Mark	0.90	\$315.00
<b>B51</b>	<b>Sale Motion/363 Sales</b>	<b>0.90</b>	<b>\$315.00</b>
<b>Totals:</b>		<b>18.50</b>	<b>\$6,475.00</b>

## **EXHIBIT B**



**Rocky Mountain Advisory LLC**  
 15 West South Temple, Suite 500  
 Salt Lake City, UT 84101  
 (801) 428-1600



July 14, 2023

**Mark Conlan, Reciever**  
 Via Electronic Mail  
 mconlan@gibbonslaw.com

**Invoice Number: 16705**  
 Invoice Period: 04-03-2023 - 06-30-2023

Payment Terms: Net 15

**RE: Mediatrix Capital**

SEC v. Mediatrix

**Time Details**

Date	Staff Member	Description	Hours	Rate	Amount
<u>Accounting</u>					
04-03-2023	JHC	Reviewed bank accounts for interest received and confirmed wire transfer amount to Wilmington Trust with Receiver (.3). Reviewed wire transfer documentation prepared by R. Ereksen (.2). Email communications with M. Conlan regarding banking (.1).	0.60	345.00	207.00
04-10-2023	JHC	Reviewed correspondence on investor data and database and responded to Receiver (.3). Set up access to Freedom Bank receivership account and accessed the same (.4). Reviewed various banking communications and investor information (.2). Responded to M. Conlan regarding investor database (.2).	1.10	345.00	379.50
04-19-2023	HD	Completed updating QuickBooks with Q1 2023 receipts and disbursements (1.4). Reconciled four bank accounts ensure completeness (.5).	1.90	250.00	475.00
			3.60		1,061.50
<u>Case Administration</u>					
04-03-2023	RE	Prepare and finalize wire to transfer funds to Wilmington Trust. Post settlement payments to ledger.	0.40	100.00	40.00
04-03-2023	SO	Capture Q1 disbursements in QuickBooks.	1.50	240.00	360.00
04-04-2023	SO	Reconcile Q1 2023 transactions and capture disbursements in QuickBooks.	0.20	240.00	48.00
04-07-2023	RE	Prepare deposit for settlement payment.	0.10	100.00	10.00
04-11-2023	HD	Accessed Wilmington Trust exporting February and March data (.5). Reconciled January through March 2023 activity for East West Bank x0000 (.8). Began reconciling January through March 2023 activity for East West Bank x0007 (.6).	1.90	250.00	475.00
04-14-2023	RE	Prepare for March Data Hosting services.	0.10	100.00	10.00
04-19-2023	HD	Prepared Exhibits for use in Q1 2023 quarterly	1.50	250.00	375.00

Date	Staff Member	Description	Hours	Rate	Amount
<u>Case Administration</u>					
		report (1.3). Met with J. Curtis discussing appropriate presentation for additional bank accounts (.2).			
04-21-2023	HD	Completed Q1 2023 quarterly report and sent to J. Curtis for review (.7). Corresponded with E. Rosen regarding availability of invoices (.2).	0.90	250.00	225.00
04-21-2023	JHC	Reviewed Q1 2023 report schedules and responded to H. Denison.	0.70	345.00	241.50
04-26-2023	HD	Received updated invoice for Corr Cronin and made necessary changes to accrued fees exhibit (.6). Call with E. Rosen discussing Q1 2023 quarterly report exhibits (.1).	0.70	250.00	175.00
04-27-2023	RE	Prepare settlement payment deposit and document for file.	0.10	100.00	10.00
04-28-2023	HD	Reviewed 2023 Q1 quarterly report and corresponded with E. Rosen on completeness of information.	0.50	250.00	125.00
05-02-2023	RE	Deposit settlement check document for file.	0.10	100.00	10.00
05-08-2023	RE	Prepared Mediatix check for website vendor.	0.20	100.00	20.00
05-17-2023	RE	Prepare payment for website developer and document.	0.10	100.00	10.00
06-01-2023	RE	Post ACH settlement payment to ledger.	0.10	100.00	10.00
06-02-2023	RE	Prepare and deposit settlement check.	0.10	100.00	10.00
06-05-2023	RE	Post ACH settlement payment to ledger (.1). Post wire transfer from Wilmington Trust Mediatix account (.1).	0.20	100.00	20.00
06-06-2023	RE	Prepare vendor payment.	0.10	100.00	10.00
06-08-2023	RE	Prepare vendor check.	0.10	100.00	10.00
06-13-2023	RE	Deposit settlement check and prepare payments to professionals for sixth quarterly fee application.	0.20	100.00	20.00
06-26-2023	RE	Post settlement payment to ledger and advise Receiver.	0.10	100.00	10.00
			9.90		2,224.50
<u>Tax Work</u>					
04-05-2023	HD	Reviewed 2022 profit and loss to prepare extension.	1.10	250.00	275.00
04-06-2023	KC	Mailed tax documents to Internal Revenue Service.	0.10	100.00	10.00
04-06-2023	HD	Prepared paper extension due to the electronic version being rejected by the IRS.	0.20	250.00	50.00
			1.40		335.00
			<b>Total</b>		<b>3,621.00</b>

**Time Summary**

Staff Member	Hours	Rate	Amount
Heather Denison	8.70	250.00	2,175.00
John H. Curtis	2.40	345.00	828.00
Kaytee Croft	0.10	100.00	10.00
Raani Ereksn	2.00	100.00	200.00
Saria Ott	1.70	240.00	408.00
<b>Total</b>	<b>14.90</b>		<b>3,621.00</b>

**Expense Summary**

<b>Expense</b>	<b>Amount</b>
Copies	1.65
PACER	18.80
Postage	12.90
Supplies - Tax Forms	89.01
<b>Total Expenses</b>	<b>122.36</b>
<b>Total for this Invoice</b>	<b>3,743.36</b>
<b>Previous Invoice Balance</b>	<b>9,509.17</b>
Payment - 1065 on 06-13-2023	(9,509.17)
<b>Total Amount to Pay as of 07-19-2023</b>	<b>3,743.36</b>

Pay by [clicking here](#) or by scanning the QR code



**Mark Conlan, Reciever**  
Via Electronic Mail  
mconlan@gibbonslaw.com

July 14, 2023

**Rocky Mountain Advisory LLC**  
15 West South Temple, Suite 500  
Salt Lake City, UT 84101

**Invoice Number: 16705**  
Invoice Period: 04-03-2023 - 06-30-2023

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**REMITTANCE COPY**

**RE: Mediatrix Capital**

<b>Fees</b>	3,621.00
<b>Expenses</b>	122.36
<b>Total for this Invoice</b>	3,743.36
<b>Previous Invoice Balance</b>	9,509.17
Payment - 1065 on 06-13-2023	(9,509.17)
<b>Total Amount to Pay as of 07-19-2023</b>	<b>3,743.36</b>

<b>Project</b>	<b>Balance Due</b>
Mediatrix Capital	3,743.36
<b>Total Amount to Pay</b>	<b>3,743.36</b>

**Open Invoices and Credits**

<b>Date</b>	<b>Transaction</b>	<b>Project</b>	<b>Amount</b>	<b>Applied</b>	<b>Balance</b>
07-14-2023	Invoice 16705	Mediatrix Capital	3,743.36		3,743.36
				<b>Balance</b>	<b>3,743.36</b>

Pay by [clicking here](#) or by scanning the QR code



## **EXHIBIT C**

**CORR CRONIN | LLP**  
 A Limited Liability Partnership  
 1015 Second Avenue Floor 10  
 Seattle, WA 98104-1001  
 TEL: 206-625-8600 FAX: 206-625-0900  
 Tax ID # 91-1952756

Mark Conlan  
 c/o Gibbons P.C.  
 One Gateway Center  
 Newark NJ 07102-5310

Page: 1  
 06/30/2023  
 Account No: 2061-00001M  
 Statement No: 6

Attn: Mark Conlan

Re: Matthew Gray

FEES

		<u>RATE</u>	<u>HOURS</u>	
06/26/2023	TTW Review case schedule and correspondence with national counsel re: confirmation of joinder (0.2); review and exchange email with M. Conforti re: method for dismissal (0.2); draft and prepare notice of settlement without dismissal and circulate to M. Conlan for review (0.3).	472.00	0.70	330.40
06/27/2023	TTW Review and finalize notice of settlement. FOR LEGAL SERVICES RENDERED THROUGH 06/30/2023	472.00	0.20	94.40
			<u>0.90</u>	<u>424.80</u>

SUMMARY OF TIME

<u>Timekeeper</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Todd Williams	Partner	0.90	\$472.00	\$424.80

Previous Balance \$2,574.73

**Total Due for Current Invoice 06/30/2023** 424.80

PAYMENTS RECEIVED THROUGH 06/30/2023

06/20/2023	Payment received - thank you.			-1,837.69
06/20/2023	Payment received - thank you.			-29.04
06/20/2023	Payment received - thank you.			-708.00
	TOTAL PAYMENTS			<u>-2,574.73</u>

TOTAL DUE \$424.80

Billing History

	<u>Fees</u>	<u>Expenses</u>	<u>Advances</u>	<u>Finance Charge</u>	<u>Payments</u>
	2,628.00	29.04	584.98	0.00	2,574.73
Write Off	0.00	0.00	242.49	0.00	

Payment is due upon receipt of invoice.

**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.

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**DECLARATION OF DAVID N. CRAPO, ESQ., RECEIVER COUNSEL, IN SUPPORT  
OF THE MOTION FOR ORDER APPROVING AND AUTHORIZING PAYMENT OF  
RECEIVER'S AND PROFESSIONALS' FEES AND COSTS  
FROM APRIL 1, 2023 THROUGH JUNE 30, 2023**

---

I, David N. Crapo, of full age, hereby declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am Counsel with the firm of Gibbons P.C. ("Gibbons") and counsel to Mark B. Conlan, as receiver (the "Receiver") in the above-captioned case pursuant to the Court's Order entered on October 20, 2021 [ECF No. 284] ("Substitute Appointment Order"). I have personal knowledge of the matters set forth in this declaration and if I were called upon to testify as to these matters I could and would competently testify thereto.

2. This Declaration is submitted in support of the *Motion for Order Approving and*

*Authorizing Payment of Receiver's and Professionals' Fees and Costs from April 1, 2023 through June 30, 2023* (the "Seventh Quarterly Fee Application").

3. Upon appointment on October 20, 2021, the Receiver selected Gibbons P.C. to act as his counsel, effective the same date. On November 1, 2021, upon motion, the Court authorized the retention of Gibbons in the *Order Granting Unopposed Motion of Receiver, Mark B. Conlan, for Order Authorizing Employment of Gibbons P.C. as Counsel for the Receiver Nunc Pro Tunc to October 20, 2021* [ECF No. 291].

4. Attached hereto as Exhibit A is a true and correct copy of Gibbons invoice for fees of \$69,379.35 plus costs of \$62.24 for a total of \$69,441.59 for the Seventh Expense Period<sup>1</sup>.

5. In accordance with the Receiver Order, I certify that the Seventh Quarterly Fee Application complies with the terms of the Billing Instructions provided by the SEC to the Receiver.

6. Further, I certify that the fees and costs in the Seventh Quarterly Fee Application were incurred in the best interests of the Receivership Estate.

7. Further, I certify that I have not entered into any agreement with any person or entity concerning the amount of any compensation paid or to be paid from the Receivership Estate, or any sharing thereof.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on August 9, 2023 at Newark, New Jersey.

By: /s/ David N. Crapo, Esq.  
David N. Crapo, Esq.

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning in the Seventh Quarterly Fee Application ascribed to them.



# **EXHIBIT A**

17  
**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199 106202	<b>Mark Conlan</b> <b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>
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Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
04/10/2023	Telephone call with E. Rosen re: information needed for Q1 report.	RE05	02062	MC2	0.10	\$59.85
04/10/2023	Email with H. Denison re: accrued fees for Q1 2023; email with WA local counsel re: same [0.1]; confer with M. Conlan re: same [0.1].	RE05	26059	ER	0.20	\$54.90
04/11/2023	Email with local counsel re: accrued fee status.	RE05	26059	ER	0.10	\$27.45
04/12/2023	Email with local counsel and RMA re: accrued fees.	RE05	26059	ER	0.10	\$27.45
04/12/2023	Confer with M. Conlan re: accrued fees and upcoming deadline.	RE05	26059	ER	0.10	\$27.45
04/21/2023	Detailed email with RMA re: status of Quarterly Report preparations.	RE05	26059	ER	0.20	\$54.90
04/25/2023	Review Q1 Status Report exhibits from J. Curtis.	RE05	02062	MC2	0.10	\$59.85
04/25/2023	Draft Q1 Quarterly Report (1.3); confer with M. Conlan re: key data (0.1); confer with local counsel re: February invoice (0.1).	RE05	26059	ER	1.50	\$411.75
04/26/2023	Review Quarterly Report.	RE05	02518	DEB	0.40	\$239.40
04/26/2023	Review adjusted fee spreadsheet for Q1 status report.	RE05	02062	MC2	0.10	\$59.85
04/26/2023	Working on Q1 2023 Status Report to Court.	RE05	02062	MC2	1.10	\$658.35
04/26/2023	Quarterly report preparation.	RE05	02548	DC	0.50	\$299.25
04/26/2023	Draft Q1 2023 Quarterly Report (1.8); review invoices (0.2) email with team re: invoice data (0.2); detailed email and confer with H. Denison re: Local Counsel invoice and RMA data (0.1); redact net winners from RMA report (0.1); email with team re: same (0.1).	RE05	26059	ER	2.50	\$686.25
04/27/2023	Telephone call with E. Rosen re: Q1 status report.	RE05	02062	MC2	0.10	\$59.85
04/27/2023	Review and revise Q1 status report (0.6); e-mails with SEC team re: same (0.2).	RE05	02062	MC2	0.80	\$478.80
04/27/2023	Confer with M. Conlan re: Quarterly Report preparation.	RE05	02548	DC	0.10	\$59.85
04/27/2023	Prepare Q1 2023 Quarterly Report for SEC review and electronic filing (0.7); verify cites (0.1); draft Certificate of Service re: same (0.1); email with team re: same (0.1); detailed email and confer with team re: Q1 2023 Quarterly Report (0.7).	RE05	26059	ER	1.70	\$466.65
04/28/2023	Email with RMA re: 6th Quarterly Report; email and confer with team re: same.	RE05	26059	ER	0.10	\$27.45
05/01/2023	E-mails with SEC team re: Q1 2023 report.	RE05	02062	MC2	0.10	\$59.85
05/01/2023	Telephone calls with SEC Counsel and E. Rosen re: Q1 2023 report (0.2); edits to same (0.3).	RE05	02062	MC2	0.50	\$299.25
05/01/2023	Review and revise Certificate of Service for Q1 2023 Quarterly Report; calendar deadline to file complaints against asset freeze violators.	RE05	02062	MC2	0.10	\$59.85
05/01/2023	Prepare 6th Quarterly Status Report for Q1 2023 for electronic filing (0.3); file and serve same (0.2); review and receipt of same (0.1); coordinate email service of same (0.1); revise Certificate of Service; email and confer with team re: same (0.1).	RE05	26059	ER	0.80	\$219.60
05/02/2023	Prepare Certificate of Service re 6th Quarterly Status Report for Q1 2023 for electronic filing; file and serve same.	RE05	26059	ER	0.10	\$27.45
	<b>Sub-Total For Task:</b>	<b>RE05</b>			<b>11.40</b>	<b>\$4,425.30</b>
04/11/2023	Legal research on use of liquidation proceedings in federal equity receiverships.	RE04	02062	MC2	0.50	\$299.25
	<b>Sub-Total For Task:</b>	<b>RE04</b>			<b>0.50</b>	<b>\$299.25</b>
05/22/2023	Meeting with M. Conlan regarding return filing requirements for S corporation and proper use of EIN.	B70	00168	PJU	0.20	\$119.70
05/22/2023	Write up and forward results of research regarding return filing obligations of S corporation and proper use of EIN.	B70	00168	PJU	0.50	\$299.25
06/21/2023	Draft note to M. Conlan regarding tax and non-tax concerns for Receiver regarding possible claimant assignment of claim to revocable trust taking into account discussion with R. Danylchuk.	B70	00168	PJU	0.30	\$179.55
	<b>Sub-Total For Task:</b>	<b>B70</b>			<b>1.00</b>	<b>\$598.50</b>
04/03/2023	Review pleadings on Youngs' appeal.	B62	02518	DEB	0.40	\$239.40
04/03/2023	Review Youngs' Motion to Dismiss Appeal.	B62	02062	MC2	0.10	\$59.85
04/03/2023	Review Order and Mandate from 10th Circuit Dismissing Youngs' appeal.	B62	02062	MC2	0.10	\$59.85
04/03/2023	Review Michael and Maria Young's motion to dismiss 10th Circuit appeal, as well as 10th Circuit Order re: same.	B62	02548	DC	0.20	\$119.70
04/03/2023	E-mails to/from M. Conforti re: resolution of claims against brokers.	B62	02548	DC	0.20	\$119.70
04/03/2023	Review and receipt of Young's Motion to Dismiss 10th Cir Appeal; email with team re: same.	B62	26059	ER	0.10	\$27.45
04/03/2023	Draft Voluntary Dismissal for Alternative Asset Management; draft Voluntary Dismissal for K98EDW (0.2); confer with team re: same (0.1).	B62	26059	ER	0.30	\$82.35

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**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
04/04/2023	Review SEC filings in opposition to Young's motion.	B62	02518	DEB	0.30	\$179.55
04/04/2023	Attention to dismissal of second Broker Defendant complaint.	B62	30541	MAC	0.10	\$40.95
04/04/2023	Attention to two Broker Defendant settlement payments.	B62	30541	MAC	0.10	\$40.95
04/04/2023	Review orders re: dismissal of Michael and Maria Young's 10th Circuit appeal.	B62	02548	DC	0.10	\$59.85
04/04/2023	E-mails to/from M. Conforti re: status of avoidance and recovery action against brokers.	B62	02548	DC	0.20	\$119.70
04/04/2023	E-mails to/from D. Whitford and M. Conlan re: SEC documents.	B62	02548	DC	0.20	\$119.70
04/04/2023	Review and receipt of Order and Mandate from 10th Cir dismissing Youngs' appeal (0.1); email with team re: same (0.1).	B62	26059	ER	0.20	\$54.90
04/04/2023	Format and submission of notice of dismissal of avoidance action.	B62	15023	FS	0.20	\$56.00
04/04/2023	Obtain filed notice of dismissal (0.1); transmittal to counsel; facilitate attorney review (0.1).	B62	15023	FS	0.20	\$56.00
04/05/2023	Review notices and orders re: dismissal of avoidance action against brokers.	B62	02548	DC	0.20	\$119.70
04/05/2023	Review e-mails between M. Conforti and counsel for defendant in avoidance action re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
04/05/2023	E-mails to/from D. Whitford re: SEC documents.	B62	02548	DC	0.10	\$59.85
04/05/2023	Communications with Courtney Randolph of Epiq regarding giving access to the Relativity database to David Crapo.	B62	89266	DW	0.10	\$20.70
04/05/2023	Communications with M. Conlan regarding giving access to the Relativity database to David Crapo.	B62	89266	DW	0.10	\$20.70
04/05/2023	Assistance to E. Rosen regarding the creation of a search and download of a sample document for review.	B62	89266	DW	0.20	\$41.40
04/06/2023	Review documents for backup for resolution of charitable claims.	B62	02548	DC	1.90	\$1,137.15
04/06/2023	E-mails to/from D. Whitford re: documents for backup for resolution of charitable claims.	B62	02548	DC	0.20	\$119.70
04/10/2023	Reviewed voluntary dismissal stipulation in broker defendant complaint and approved filing of same.	B62	30541	MAC	0.10	\$40.95
04/10/2023	Continue review of documents re: contributions to charities.	B62	02548	DC	2.10	\$1,256.85
04/10/2023	Revise dismissal of Alternative Asset Management (0.1); email with team re: same; prepare for electronic filing; email with team re: same; review and receipt of as-filed version (0.1).	B62	26059	ER	0.20	\$54.90
04/11/2023	Update discovery deadlines (0.2); confer and email with team re: same (0.1)	B62	26059	ER	0.30	\$82.35
04/12/2023	Review Notice from UK Companies House re: dissolution of Alternative Asset Management; e-mails with M. Conforti and D. Crapo re: same.	B62	02062	MC2	0.10	\$59.85
04/12/2023	Review notice of Alternative Asset Management dissolution.	B62	02548	DC	0.10	\$59.85
04/12/2023	E-mails to/from counsel for charity re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
04/12/2023	E-mails to/from M. Conlan re: document review.	B62	02548	DC	0.10	\$59.85
04/12/2023	Complete review of SEC documents for information relevant to resolving claims against charities.	B62	02548	DC	2.60	\$1,556.10
04/12/2023	E-mail to counsel for charity re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
04/13/2023	Review relevant authorities for motion to strike.	B62	02548	DC	0.50	\$299.25
04/14/2023	Attend to e-mails with D. Crapo re: charity settlement.	B62	02062	MC2	0.10	\$59.85
04/14/2023	Review and sign settlement agreement with charity; e-mail same to D. Crapo.	B62	02062	MC2	0.10	\$59.85
04/14/2023	E-mails to/from counsel for Parrochia de San Antonio de Padua, Yaitza Maldonado re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
04/14/2023	E-mails to/from M. Conlan re: settlement with Parrochia de San Antonio de Padua.	B62	02548	DC	0.20	\$119.70
04/14/2023	Review documents and other information re: Receiver's claims against charities	B62	02548	DC	0.40	\$239.40
04/14/2023	E-mails to/from Robert Welch, counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.	B62	02548	DC	0.10	\$59.85
04/18/2023	Call with Broker Defendant counsel regarding payment of settlement.	B62	30541	MAC	0.10	\$40.95
04/18/2023	Review e-mails from M. Conforti and defense counsel re: status of settlement payments.	B62	02062	MC2	0.10	\$59.85
04/18/2023	Review and process settlement check from charity defendant.	B62	02062	MC2	0.10	\$59.85
04/18/2023	Review correspondence between M. Conforti and counsel for Y-Man re: resolution of Receiver's claims.	B62	02548	DC	0.20	\$119.70
04/18/2023	Telephone call to counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary re: resolution of Receiver's claims.	B62	02548	DC	0.10	\$59.85
04/19/2023	Telephone call with T. Ashmore re: Young's reply brief.	B62	02062	MC2	0.10	\$59.85
04/19/2023	Review correspondence between M. Conforti and counsel for Y-Man re: resolution of Receiver's claims.	B62	02548	DC	0.20	\$119.70

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**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199 106202	<b>Mark Conlan Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>
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Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
04/19/2023	Telephone call to counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary re: resolution of Receiver's claims.	B62	02548	DC	0.10	\$59.85
04/19/2023	Telephone conference with Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
04/19/2023	Review documents relevant to a resolution of Receiver's claim against the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.	B62	02548	DC	0.60	\$359.10
04/19/2023	E-mail to Mr. Welch with analysis of the documents relevant to a resolution of Receiver's claim against the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.	B62	02548	DC	0.30	\$179.55
04/19/2023	Review and receipt of charity settlement; update chart re: same.	B62	26059	ER	0.10	\$27.45
04/20/2023	E-mail from Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary re: resolution of Receiver's claim.	B62	02548	DC	0.10	\$59.85
04/21/2023	Review Youngs' brief on asset freeze motion.	B62	02518	DEB	0.40	\$239.40
04/21/2023	Review and analyze Young's Reply Brief in support of Motion for Relief from Asset Freeze to pay counsel fees.	B62	02062	MC2	0.40	\$239.40
04/21/2023	Telephone call with T. Ashmore re: reply brief in support of relief from asset freeze.	B62	02062	MC2	0.20	\$119.70
04/21/2023	Review and receipt of Youngs' Reply ISO Renewed Motion; email and confer with team re: same.	B62	26059	ER	0.10	\$27.45
04/26/2023	E-mails with D. Crapo and M. Conforti re: litigation update.	B62	02062	MC2	0.10	\$59.85
04/27/2023	Telephone with M. Conlan, D. Porteous and M. McPhail re: investors' claims against prime broker.	B62	02518	DEB	0.30	\$179.55
04/27/2023	Conference call with D. Barney, D. Porteous and M. MacPhail re: prime broker claims.	B62	02062	MC2	0.30	\$179.55
05/02/2023	Update broker defendant status chart.	B62	26059	ER	0.30	\$82.35
05/03/2023	Emails with Broker Defendant counsel discussing settlement agreement.	B62	30541	MAC	0.10	\$40.95
05/03/2023	Emails with other Broker Defendant counsel discussing settlement agreement.	B62	30541	MAC	0.10	\$40.95
05/03/2023	Conferred with E Rosen regarding Broker Complaint.	B62	30541	MAC	0.10	\$40.95
05/03/2023	Attend to e-mails with M. Conforti re: litigation status and settlements; review and sign settlement agreement with M. Gray.	B62	02062	MC2	0.10	\$59.85
05/04/2023	E-mails with M. Conforti re: death of principals of broker defendant Mercury Alternative.	B62	02062	MC2	0.10	\$59.85
05/05/2023	Confer with D. Crapo re: action against asset freeze violators.	B62	02062	MC2	0.10	\$59.85
05/05/2023	Confer with M. Conlan re: complaint against asset freeze order violators.	B62	02548	DC	0.10	\$59.85
05/09/2023	Emails with Broker Defendant counsel regarding settlement.	B62	30541	MAC	0.10	\$40.95
05/09/2023	Call with Broker Defendant counsel regarding settlement.	B62	30541	MAC	0.10	\$40.95
05/09/2023	Attend to e-mails from M. Conforti re: Y-Man Investments and Mercury Alternative Fund.	B62	02062	MC2	0.10	\$59.85
05/09/2023	Review e-mails between M. Conforti and Byron Browne re: resolution of Receiver's claim against his client.	B62	02548	DC	0.20	\$119.70
05/10/2023	Attention to voluntary dismissal of broker defendant.	B62	30541	MAC	0.10	\$40.95
05/10/2023	Attend to e-mails with Team re: document database.	B62	02062	MC2	0.10	\$59.85
05/10/2023	Attend to e-mails with EastWest Bank, R. Erektion and M. Conforti re: settlement with Y-Man Investments.	B62	02062	MC2	0.10	\$59.85
05/10/2023	Review e-mails between M. Conforti and Byron Browne re: resolution of Receiver's claim against his client.	B62	02548	DC	0.20	\$119.70
05/10/2023	Email with team re: database considerations.	B62	26059	ER	0.10	\$27.45
05/10/2023	Draft dismissal for broker defendant; email with team re: same (0.1); prepare for electronic filing; file and serve same (0.1); review and receipt of as-filed version of same; update broker chart (0.1).	B62	26059	ER	0.30	\$82.35
05/11/2023	Email with team re: database considerations.	B62	26059	ER	0.10	\$27.45
05/12/2023	E-mail to Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.	B62	02548	DC	0.10	\$59.85
05/17/2023	E-mails with T. Ashmore re: request for copies of the Equiti document production.	B62	02062	MC2	0.10	\$59.85
05/17/2023	E-mails with D. Crapo and T. Ashmore re: Equiti document production; telephone call with D. Crapo re: same.	B62	02062	MC2	0.20	\$119.70
05/17/2023	Attending to e-mails with T. Ashmore, D. Crapo and SEC Counsel re: Equiti US production.	B62	02062	MC2	0.30	\$179.55
05/17/2023	Telephone call with D. Crapo and SEC Counsel re: SEC-Equiti production.	B62	02062	MC2	0.10	\$59.85
05/17/2023	Confer with SEC counsel and M. Conlan re: Michael and Maria Young's counsel's demand for Equiti documents.	B62	02548	DC	0.20	\$119.70
05/17/2023	Review and respond to e-mails from M. Conlan and Tracy Ashmore, counsel to Michael and Maria Young's, re: request for Equiti documents.	B62	02548	DC	0.40	\$239.40

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**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatix Capital Inc.,</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
05/17/2023	E-mails to/from counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary re: resolution of Receiver's claim.	B62	02548	DC	0.10	\$59.85
05/18/2023	Review SEC document production in connection with Defendants Michael and Maria Young's request for documents produced by equity.	B62	02548	DC	1.10	\$658.35
05/18/2023	E-mail analysis to Michael and Maria Youngs' attorney, Tracy Ashmore, re: same.	B62	02548	DC	0.10	\$59.85
05/18/2023	Review e-mail from M. Conlan re: analysis to Youngs' attorney.	B62	02548	DC	0.10	\$59.85
05/18/2023	Assistance to D. Crapo regarding the details and access of the Relativity database.	B62	89266	DW	0.30	\$62.10
05/19/2023	E-mails with avoidance defendant re: settlement payment.	B62	02062	MC2	0.10	\$59.85
05/19/2023	Review e-mails from Tracy Ashmore, counsel to Michael and Maria Young, and e-mails to M. Conlan re: documents produced by Equiti.	B62	02548	DC	0.30	\$179.55
05/26/2023	E-mails to/from Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
05/30/2023	Emails with Broker Defendant's counsel regarding settlement.	B62	30541	MAC	0.10	\$40.95
05/30/2023	E-mails with M. Conforti and D. Crapo re: Mercury Alternative settlement default.	B62	02062	MC2	0.10	\$59.85
05/30/2023	Prepare settlement agreement with the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.	B62	02548	DC	0.50	\$299.25
05/30/2023	E-mails to/from Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
05/30/2023	Review and respond to e-mails from M. Conforti re: response to breach of a settlement agreement re: Receiver's claim against a broker.	B62	02548	DC	0.30	\$179.55
05/31/2023	Internal emails regarding Broker Defendant and settlement agreement.	B62	30541	MAC	0.10	\$40.95
05/31/2023	Review e-mail from Bryan Harrison, counsel for broker, to M. Conforti re: resolution of Receiver's claim.	B62	02548	DC	0.10	\$59.85
05/31/2023	E-mails to/from M. Conforti re: resolution of Receiver's claim against Mr. Harrison's client.	B62	02548	DC	0.30	\$179.55
05/31/2023	Confer with M. Conforti re: resolution of Receiver's claim against Mr. Harrison's client.	B62	02548	DC	0.10	\$59.85
06/01/2023	Review information concerning broker Mercury Alternative and affiliates.	B62	02548	DC	0.30	\$179.55
06/01/2023	E-mails to/from R. Traylor re: information concerning Mercury Alternative and Associates.	B62	02548	DC	0.20	\$119.70
06/01/2023	Researched and retrieved corporate status on a few entities as per M. Conforti.	B62	40027	RT1	0.50	\$132.50
06/02/2023	Telephone call with D. Crapo re: asset freeze violation complaint.	B62	02062	MC2	0.10	\$59.85
06/02/2023	Confer with M. Conlan re: complaint against asset freeze order violators.	B62	02548	DC	0.10	\$59.85
06/06/2023	E-mails with M. Conforti re: status of avoidance actions.	B62	02062	MC2	0.30	\$179.55
06/08/2023	Review docket in civil forfeiture action.	B62	02062	MC2	0.70	\$418.95
06/09/2023	Begin drafting complaint against violators of the asset freeze order.	B62	02548	DC	5.30	\$3,172.05
06/12/2023	Emails with broker defendant regarding settlement agreement provisions.	B62	30541	MAC	0.10	\$40.95
06/12/2023	Continue drafting complaint against violators of the asset freeze order.	B62	02548	DC	0.30	\$179.55
06/13/2023	E-mails with R. Erekson re: settlement payment from broker dealer.	B62	02062	MC2	0.10	\$59.85
06/13/2023	Continue drafting complaint against violators of Asset Freeze Order.	B62	02548	DC	6.70	\$4,009.95
06/14/2023	Telephone call with C. Anton re: asset freeze violation complaint.	B62	02062	MC2	0.30	\$179.55
06/14/2023	Legal research to consider additional claims.	B62	02548	DC	1.30	\$778.05
06/14/2023	Continue drafting complaint against violators of Asset Freeze Order.	B62	02548	DC	2.70	\$1,615.95
06/14/2023	E-mail to M. Conlan re: complaint against violators of Asset Freeze Order.	B62	02548	DC	0.30	\$179.55
06/15/2023	E-mails to/from counsel for Saint Charles Borromeo Seminary and the Archdiocese of Philadelphia re: resolution of Receiver's claim.	B62	02548	DC	0.20	\$119.70
06/17/2023	Review Stewart's Motion to Dismiss Opposition to Sale Motion.	B62	02062	MC2	0.10	\$59.85
06/20/2023	Research and analysis regarding potential causes of action arising out of transfers of real property in violation of asset freeze order.	B62	02950	CPA	3.30	\$1,975.05
06/20/2023	Review notice of non-compliance from Court re: Stewart's motion to withdraw sale objection.	B62	02062	MC2	0.10	\$59.85
06/21/2023	Research for complaint arising from transfer of two properties in violation of asset freeze order.	B62	02950	CPA	2.80	\$1,675.80
06/21/2023	Draft/revise fraudulent transfer complaint.	B62	02950	CPA	1.50	\$897.75
06/21/2023	Review Court's Order withdrawing Stewart's sale objection.	B62	02062	MC2	0.10	\$59.85
06/22/2023	Research for fraudulent transfer complaint.	B62	02950	CPA	2.20	\$1,316.70
06/22/2023	Conference with Mark Conlan regarding fraudulent transfer complaint.	B62	02950	CPA	0.40	\$239.40
06/22/2023	Conference with C. Anton and D. Crapo re: asset freeze violations.	B62	02062	MC2	0.50	\$299.25

17  
**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
06/22/2023	Confer with M. Conlan and C. Anton re: complaint against violators of Asset Freeze Order.	B62	02548	DC	0.50	\$299.25
06/23/2023	Research for fraudulent transfer complaint.	B62	02950	CPA	0.80	\$478.80
06/23/2023	Review deposition transcripts and background documents for fraudulent transfer complaint.	B62	02950	CPA	2.40	\$1,436.40
06/23/2023	E-mails with C. Anton re: asset freeze violators.	B62	02062	MC2	0.10	\$59.85
06/23/2023	E-mail to Robert Welsh, counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: status of the resolution of the Receiver's claim.	B62	02548	DC	0.10	\$59.85
06/26/2023	Attention to emails regarding Net Winner complaint.	B62	30541	MAC	0.20	\$81.90
06/26/2023	Attend to e-mails with local Seattle counsel and M. Conforti re: dismissal of Gray avoidance claim in Washington State.	B62	02062	MC2	0.10	\$59.85
06/27/2023	Emails with Net Winner discussing his matter.	B62	30541	MAC	0.10	\$40.95
06/27/2023	Reviewed draft document from local counsel, for purposes of submitting same in the Net Winner Complaint case.	B62	30541	MAC	0.30	\$122.85
06/28/2023	Confer with C. Anton re: claims related to violations of asset freeze order.	B62	02548	DC	0.10	\$59.85
06/28/2023	E-mails to/from counsel for St. Charles Borromeo Seminary and Archdiocese of Philadelphia re: resolution of Receiver's claim.	B62	02548	DC	0.30	\$179.55
06/29/2023	Attention to Notice of Settlement filing in Net Winner Complaint case.	B62	30541	MAC	0.20	\$81.90
	<b>Sub-Total For Task:</b>	<b>B62</b>	<b>Litigation</b>		<b>61.40</b>	<b>\$35,102.40</b>
04/12/2023	Telephone call with E. Rosen re: fee applications.	B58	02062	MC2	0.10	\$59.85
04/13/2023	E-mails to/from M. Conlan re: Fee Application preparation.	B58	02548	DC	0.10	\$59.85
04/17/2023	E-mails and telephone call with E. Rosen re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
04/18/2023	Telephone call with E. Rosen re: fee application	B58	02062	MC2	0.10	\$59.85
04/21/2023	E-mails with E. Rosen re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
04/24/2023	Telephone call with E. Rosen re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
04/25/2023	Telephone call with E. Rosen re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
04/25/2023	Telephone call with E. Rosen re: Q1 status report and fee application.	B58	02062	MC2	0.30	\$179.55
04/25/2023	Email with team re: fee applications and data for accountants (0.1); email with RMA re: same (0.1).	B58	26059	ER	0.20	\$54.90
04/26/2023	Telephone call with E. Rosen re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
04/27/2023	Prepare Counsel and Receiver invoices for upcoming quarterly fee application.	B58	26059	ER	0.20	\$54.90
05/02/2023	Draft portions of 6th Quarterly Fee Application for Q1 2023.	B58	26059	ER	0.90	\$247.05
05/03/2023	Draft portions of 6th Quarterly Fee Application for Q1 2023.	B58	26059	ER	0.80	\$219.60
05/04/2023	Attention to edits to the fee application.	B58	30541	MAC	0.30	\$122.85
05/04/2023	Review and revise Q1 2023 Fee Application, Supporting Declarations and proposed form of order (0.5); e-mails with E. Rosen, D. Crapo and M. Conforti re: same (0.2).	B58	02062	MC2	0.70	\$418.95
05/04/2023	Draft portions of 6th Quarterly Fee Application for Q1 2023 (1.2); draft proposed order re: same (0.2); confer and email with team re: same (0.2).	B58	26059	ER	1.60	\$439.20
05/04/2023	Draft Declarations of M. Conlan and D. Crapo in Support of 6th Quarterly Fee Application for Q1 2023 (0.3); email with team re: same (0.1).	B58	26059	ER	0.40	\$109.80
05/08/2023	Review and receipt of Corr Cronin Q1 2023 invoice (0.1); prepare Declaration exhibits for electronic filing (0.1); email with team re: same (0.1).	B58	26059	ER	0.30	\$82.35
05/08/2023	Prepare Proposed Order for 6th Quarterly Fee Application for electronic filing; email with team re: same.	B58	26059	ER	0.10	\$27.45
05/09/2023	Telephone call with M. Conforti re: Q2 fee app and avoidance action update.	B58	02062	MC2	0.20	\$119.70
05/11/2023	Telephone call with E. Rosen re: Q1 2023 Fee Application (0.1); review and revise same (0.2).	B58	02062	MC2	0.30	\$179.55
05/11/2023	Fee Application Preparation.	B58	02548	DC	0.50	\$299.25
05/11/2023	Finalize 6th Quarterly Fee Application before submission to SEC (0.4); email and confer with team re: same (0.5).	B58	26059	ER	0.90	\$247.05
05/12/2023	E-mails with E. Rosen re: submission of Q1 2023 fee application to SEC counsel.	B58	02062	MC2	0.10	\$59.85
05/12/2023	Prepare Q1 2023 Fee Application for submission to SEC for review and comment (0.3); prepare same for electronic filing (0.2); draft email to submit Fee Application to SEC (0.1).	B58	26059	ER	0.60	\$164.70
05/17/2023	E-mail and telephone call with M. Conforti re: Q1 fee application.	B58	02062	MC2	0.10	\$59.85
05/17/2023	Draft detailed e-mail to parties in interest pursuant to D. Colo. LR 7.1 re: Q1 fee application.	B58	02062	MC2	0.40	\$239.40
05/17/2023	Telephone call with E. Rosen re: fee application.	B58	02062	MC2	0.10	\$59.85

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**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
05/17/2023	Review correspondence between various parties re: fee applications filed by the Receiver and his counsel.	B58	02548	DC	0.20	\$119.70
05/17/2023	Detailed email to parties and their counsel re: potential opposition to Q1 2023 fee application.	B58	26059	ER	0.20	\$54.90
05/18/2023	Update Q1 2023 Fee Application to reflect Youngs' objection.	B58	26059	ER	0.10	\$27.45
05/19/2023	Telephone call with E. Rosen re: Q1 2023 fee application.	B58	02062	MC2	0.10	\$59.85
05/19/2023	Attend to e-mails with E. Rosen and V. Drohan re: Q1 fee application.	B58	02062	MC2	0.30	\$179.55
05/19/2023	E-mails to/from E. Rosen re: fee application.	B58	02548	DC	0.20	\$119.70
05/19/2023	Update Q1 2023 Fee Application to reflect parties not objecting (0.3); prepare same for electronic filing (0.1); file and serve same (0.2); review and receipt of as-filed version of same (0.2); coordinate email and regular mail service of same (0.2); email and confer with team re: same (0.1).	B58	26059	ER	1.10	\$301.95
05/19/2023	Docket 21-day objection deadline for 6th Quarterly Fee App.	B58	26059	ER	0.10	\$27.45
05/30/2023	Detailed email with local counsel re: status of Q1 2023 Quarterly Fee Application.	B58	26059	ER	0.10	\$27.45
06/08/2023	Telephone call with E. Rosen re: withdrawal of Youngs' fee objection.	B58	02062	MC2	0.10	\$59.85
06/08/2023	Detailed email to chambers re: withdrawal of Youngs' objection to Receiver's Q1 2023 Fee Application (0.1); confer with M. Conlan re: same. (0.1).	B58	26059	ER	0.20	\$54.90
06/12/2023	Review Q1 2023 fee order.	B58	02062	MC2	0.10	\$59.85
	<b>Sub-Total For Task:</b>	<b>B58</b>			<b>12.60</b>	<b>\$4,957.20</b>
04/12/2023	Draft portions of rates motion (0.2); confer with team re: same (0.1).	B56	26059	ER	0.30	\$82.35
04/13/2023	Draft portions of rates motion (1.2); confer with team re: same (0.1); detailed email with team re: same (0.1).	B56	26059	ER	1.40	\$384.30
04/14/2023	Draft portions of rates motion.	B56	26059	ER	2.50	\$686.25
	<b>Sub-Total For Task:</b>	<b>B56</b>			<b>4.20</b>	<b>\$1,152.90</b>
06/22/2023	Telephone call with Amanda Tagliarino, counsel for Ken Kregel, re: transfer of claim to revocable trust.	B54	02062	MC2	0.20	\$119.70
	<b>Sub-Total For Task:</b>	<b>B54</b>			<b>0.20</b>	<b>\$119.70</b>
04/06/2023	E-mails with J. Curtis and E. Rosen re: investor address data.	B53	02062	MC2	0.10	\$59.85
04/11/2023	E-mails with E. Rosen re: case deadlines.	B53	02062	MC2	0.10	\$59.85
04/12/2023	Review court notice re: motions in receivership proceeding.	B53	02548	DC	0.10	\$59.85
04/27/2023	Review various filings in receivership case.	B53	02548	DC	0.20	\$119.70
05/02/2023	Review court notices.	B53	02548	DC	0.10	\$59.85
05/16/2023	Email with M. Conlan re: status of Q1 2023 Fee Application and potential mediatrixreceivership.com additions.	B53	26059	ER	0.10	\$27.45
06/02/2023	Mark up service list to reflect change in M. Stewart Public Defender.	B53	26059	ER	0.10	\$27.45
06/08/2023	Review and receipt of insurance-related correspondence [0.1]; review and receipt of Stewarts' Counter Motion to Dismiss opposed Motion for Sale of Mira Mar Villas [0.2].	B53	26059	ER	0.30	\$82.35
06/12/2023	Review court notice.	B53	02548	DC	0.10	\$59.85
	<b>Sub-Total For Task:</b>	<b>B53</b>			<b>1.20</b>	<b>\$556.20</b>
04/03/2023	Email with developer and M. Conlan re: status of mediatrixreceivership.com website update.	B52	26059	ER	0.10	\$27.45
04/05/2023	Confer with D. Whitford re: investor search (0.1); email with team re: same (0.1)	B52	26059	ER	0.20	\$54.90
04/06/2023	Telephone call with E. Rosen re: follow-up on investor inquiry.	B52	02062	MC2	0.10	\$59.85
04/06/2023	Confer with M. Conlan re: research on investor inquiry (0.1); review and receipt of investor correspondence re: same (0.1).	B52	26059	ER	0.20	\$54.90
04/11/2023	Email with developer re: mediatrixreceivership.com.	B52	26059	ER	0.10	\$27.45
04/12/2023	Telephone call with T. Ashmore re: T-Bill investments and cash on hand.	B52	02062	MC2	0.10	\$59.85
04/12/2023	Review planned changes to mediatrixreceivership.com website.	B52	26059	ER	0.20	\$54.90
04/21/2023	Detailed email with M. Conlan re: status of FAQs for mediatrixreceivership.com.	B52	26059	ER	0.20	\$54.90
04/25/2023	Review correspondence from avoidance defendant with settlement payment; transmit same to R. Erekson for deposit.	B52	02062	MC2	0.10	\$59.85
04/26/2023	Email with web designer re: status of FAQ project.	B52	26059	ER	0.10	\$27.45

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**Gibbons P.C.**

Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199 <b>Mark Conlan</b> 106202 <b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>
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Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
04/28/2023	Edits to proposed FAQ page on website (0.1); email with team re: same (0.1).	B52	26059	ER	0.20	\$54.90
05/02/2023	Add 6th Quarterly Status Report for Q1 2023 to mediatrixreceivership.com website (0.3); detailed email with team re: review of FAQs for website (0.2).	B52	26059	ER	0.50	\$137.25
05/09/2023	E-mails to/from M. Conlan re: insurance on Stewarts' residence.	B52	02548	DC	0.20	\$119.70
05/10/2023	Conference with Wilmington Trust team and M. Conlan re: T-Bill investment management in light of debt ceiling status.	B52	02518	DEB	0.80	\$478.80
05/10/2023	E-mails with J. Deckenbach re: Stewart's Homeowner's insurance.	B52	02062	MC2	0.10	\$59.85
05/10/2023	E-mails to/from M. Conlan re: insurance on Stewarts' resident.	B52	02548	DC	0.20	\$119.70
05/11/2023	Review and revise FAQ page for Receivership website.	B52	02062	MC2	0.40	\$239.40
05/15/2023	E-mails with J. Deckenbach and V. Drohan re: proof of insurance on Stewarts' and Sewalls' real property.	B52	02062	MC2	0.20	\$119.70
05/15/2023	Telephone call to AUSA Denver re: insurance on property in the Bahamas.	B52	02062	MC2	0.20	\$119.70
05/15/2023	Review e-mails from M. Conlan re: insurance on Stewart's residence.	B52	02548	DC	0.10	\$59.85
05/16/2023	Emails re: insuring Bahamian properties.	B52	02518	DEB	0.30	\$179.55
05/16/2023	Review and revise FAQs (0.5); e-mails with E. Rosen re: posting same (0.1).	B52	02062	MC2	0.60	\$359.10
05/16/2023	Telephone call with SEC counsel regarding FAQ page, T-Bill investments and insurance on Bahamas properties.	B52	02062	MC2	0.60	\$359.10
05/16/2023	E-mails with defendants' counsel re: placing insurance on the condominiums in the Bahamas.	B52	02062	MC2	0.40	\$239.40
05/16/2023	Telephone call with T. Ashmore re: case status and homeowners' insurance.	B52	02062	MC2	0.30	\$179.55
05/16/2023	Review e-mails from: (i) Bryant Sewall's counsel, Vivian Drohan; (ii) Tracy Ashmore, Michael and Maria Young's counsel; (iii) SEC counsel; and (iv) M. Conlan: re: insurance on Bahamas property.	B52	02548	DC	0.20	\$119.70
05/17/2023	E-mails with AUSA Denver and SEC Counsel re: Bahamas condo insurance.	B52	02062	MC2	0.20	\$119.70
05/17/2023	Working on placing insurance on properties in the Bahamas.	B52	02062	MC2	0.70	\$418.95
05/17/2023	Attend to e-mails with the condominium associations for Mira Mar Villas and Ocean Place re: insurance requirements.	B52	02062	MC2	0.40	\$239.40
05/17/2023	Email to R. Erekson re: request for payment of web developer invoice.	B52	26059	ER	0.10	\$27.45
05/17/2023	Review and finalize FAQs (0.1); update FAQs on mediatrixreceivership website to reflect recent edits (0.6); add additional relevant substantive pleadings (0.1); email and confer with team re: same (0.1); email web developer re: same (0.1).	B52	26059	ER	1.00	\$274.50
05/18/2023	E-mails with AUSA Denver re: Mira Mar Villas condo insurance.	B52	02062	MC2	0.10	\$59.85
05/18/2023	Update FAQs to include hyperlink (0.3); email with web developer re: same (0.1).	B52	26059	ER	0.40	\$109.80
05/19/2023	E-mails with counsel for the Stewarts and Sewalls re: Bahamas property insurance.	B52	02062	MC2	0.20	\$119.70
05/19/2023	Review e-mails from Vivian Drohan, Bryant Sewall's counsel, re: insurance of Sewall's property.	B52	02548	DC	0.10	\$59.85
05/23/2023	Telephone and emails with M. Conlan re: reinvestment of T-Bill proceeds.	B52	02518	DEB	0.20	\$119.70
05/25/2023	Post Motion for Professional Fees for Q1 2023 on mediatrixreceivership website.	B52	26059	ER	0.20	\$54.90
05/30/2023	E-mails with Mary Butterson re: binding insurance for Mira Mar Villas condo.	B52	02062	MC2	0.30	\$179.55
05/30/2023	Review e-mail from E. Rosen re: insurance on Bahamian properties.	B52	02548	DC	0.10	\$59.85
05/30/2023	Conference calls and emails with M Schein and M Conlan re availability of insurance coverage and properties in the Bahamas (0.4); follow-up re same (0.2).	B52	00169	JTW	0.60	\$359.10
06/05/2023	Conference call with M. Conlan and Axos Bank re: deposit account program.	B52	02518	DEB	0.50	\$299.25
06/05/2023	E-mails with V. Drohan re: insurance coverage for One Ocean Place condominium.	B52	02062	MC2	0.30	\$179.55
06/06/2023	E-mails with V. Drohan and One Ocean Place property manager re: insurance.	B52	02062	MC2	0.10	\$59.85
06/07/2023	E-mails with Mary Butterson (Stewart's public defender) re: information needed to place insurance on MiraMar Villas condo in the Bahamas; e-mails with Marsh McClennon re: same.	B52	02062	MC2	0.10	\$59.85
06/12/2023	Telephone call with investor's representative Joshua Markowitz.	B52	02062	MC2	0.20	\$119.70
06/13/2023	Emails from M. Conlan and Wilmington Trust re: reinvestment of maturing T-Bill funds.	B52	02518	DEB	0.50	\$299.25
06/21/2023	Review e-mails from SEC counsel and counsel for investor re: transfer of claim to revocable trust (0.3); e-mails with P. Ulrich and counsel for the investor re: same (0.2).	B52	02062	MC2	0.50	\$299.25
06/23/2023	Review and receipt of recent investor correspondence.	B52	26059	ER	0.10	\$27.45
	<b>Sub-Total For Task:</b>	<b>B52</b>	<b>Business Operations</b>		<b>13.60</b>	<b>\$6,973.20</b>
04/05/2023	Telephone with USCG re: documentation of M/V Currenseas (0.4); emails to/from J. Cunningham re: same (0.4).	B51	02518	DEB	0.80	\$478.80



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**Gibbons P.C.**Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
04/05/2023	Attend to e-mails with D. Barney and J. Cunningham re: Coast Guard documentation for MV Currenseas.	B51	02062	MC2	0.10	\$59.85
04/06/2023	Emails to/from J. Cunningham re: sale of M/V Currenseas.	B51	02518	DEB	0.30	\$179.55
04/06/2023	Attend to e-mails with J. Cunningham and D. Barney re: sale of M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/10/2023	Emails to/from and telephone with M. Conlan re: motion to approve sale of M/V Currenseas (0.6); email to J. Cunningham re: same (0.2).	B51	02518	DEB	0.70	\$418.95
04/10/2023	Telephone call with D. Barney re: Sale Motion for MS Currenseas.	B51	02062	MC2	0.10	\$59.85
04/10/2023	Fact research on M/V Currenseas (0.7); review relevant documents (0.5); draft sale motion, proposed form of order and supporting declaration (4.0).	B51	02062	MC2	5.20	\$3,112.20
04/10/2023	Format Exhibits to Sale Motion (0.1); e-mail motion and exhibits to D. Barney (0.1).	B51	02062	MC2	0.20	\$119.70
04/11/2023	Review/revise motion for approval of sale of M/V Currenseas (1.7); emails re: same (0.2).	B51	02518	DEB	1.90	\$1,137.15
04/11/2023	Telephone call with E. Rosen re: case deadlines and motion to sell M/V Currenseas.	B51	02062	MC2	0.20	\$119.70
04/11/2023	Further revisions to sale motion (0.2); e-mails with D. Barney and E. Rosen re: same (0.1).	B51	02062	MC2	0.30	\$179.55
04/11/2023	Review and revise motion to sell M/V Currenseas (0.3); e-mails with parties in interest re: same (0.1).	B51	02062	MC2	0.40	\$239.40
04/11/2023	Telephone call and e-mails with E. Rosen re: motion to sell M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/11/2023	Revise portions of Sale Motion (0.3); prepare sale motion, proposed order, and declaration with exhibits A-D for electronic filing (0.3); file and serve same (0.2); review and receipt of as-filed copies of same (0.1); coordinate email and mail service of same (0.1); confer and email with team re: same (0.2).	B51	26059	ER	1.20	\$329.40
04/13/2023	Review USCG letter on M/V Currenseas, corrected bill of sale (0.5); draft letter to USCG re: same (0.8); draft bill of sale to Compass (0.9).	B51	02518	DEB	2.20	\$1,316.70
04/13/2023	Attend to e-mails with D. Barney re: corrected Bill of Sale for M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/17/2023	Emails to/from J. Cunningham and J. Deckenbach re: M/V Currenseas.	B51	02518	DEB	0.40	\$239.40
04/18/2023	Emails to/from M. Conlan and J. Cunningham re: M/V Currenseas.	B51	02518	DEB	0.30	\$179.55
04/18/2023	E-mails with E. Rosen re: M/V Currenseas sale motion.	B51	02062	MC2	0.10	\$59.85
04/18/2023	Prepare proposed order on Unopposed SeaVee Sale Motion for submission to Court (0.2); email chambers re: same (0.1).	B51	26059	ER	0.30	\$82.35
04/19/2023	Emails to/from J. Cunningham re: motion to sell M/V Currenseas.	B51	02518	DEB	0.20	\$119.70
04/20/2023	Review original bill of sale on M/V Currenseas and order approving sale (0.4); emails re: same (0.2).	B51	02518	DEB	0.60	\$359.10
04/20/2023	E-mails with D. Barney re: closing of M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/21/2023	Telephone with M. Conlan and J. Cunningham re: closing of sale of M/V Currenseas.	B51	02518	DEB	0.30	\$179.55
04/21/2023	Review/revise escrow letter for M/V Currenseas (0.5); email to J. Cunningham re: same (0.1).	B51	02518	DEB	0.60	\$359.10
04/21/2023	E-mails with D. Barney re: escrow letter for bill of sale for M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/21/2023	Review e-mail from D. Barney to J. Cunningham enclosing escrow letter, sale order and wire instructions in connection with sale of the M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/21/2023	Draft escrow letter to Compass Marine for sale of the M/V Currenseas (0.6); telephone call with D. Barney re: same (0.1).	B51	02062	MC2	0.70	\$418.95
04/24/2023	Emails re: sale of M/V Currenseas.	B51	02518	DEB	0.30	\$179.55
04/24/2023	Attend to e-mails with D. Barney and J. Cunningham re: sale of M/V Currenseas.	B51	02062	MC2	0.10	\$59.85
04/25/2023	Emails to/from J. Cunningham re: sale of M/V Currenseas.	B51	02518	DEB	0.80	\$478.80
04/26/2023	Attend to e-mails with J. Cunningham and D. Barney re: release of Bill of Sale from escrow.	B51	02062	MC2	0.10	\$59.85
05/15/2023	Emails to/from J. Cunningham re: bill of sale for boat lift (0.4); draft same (1.0).	B51	02518	DEB	1.40	\$837.90
05/16/2023	Emails re: Bill of Sale for boat lift (0.2); revise same (0.4).	B51	02518	DEB	0.60	\$359.10
05/16/2023	Review USA's Opposed Motion for Approval of Interlocutory Sale of Bahamas Condo.	B51	02062	MC2	0.20	\$119.70
05/17/2023	Emails re: bill of sale on boat lift.	B51	02518	DEB	0.30	\$179.55
05/22/2023	Review emails re: Bahamas condo.	B51	02518	DEB	0.30	\$179.55
05/22/2023	E-mails with AUSA Denver and Peter Auberg at MiraMar Villas re: contact with Bahamas attorney's office re: potential sale.	B51	02062	MC2	0.10	\$59.85
06/07/2023	Review Stewart's objection to motion to sell condo.	B51	02518	DEB	0.30	\$179.55
06/08/2023	Telephone call with SEC Counsel re: Miramar condominium sale.	B51	02062	MC2	0.20	\$119.70
06/08/2023	Telephone call with T. Ashmore and M. Young re: Miramar condo.	B51	02062	MC2	0.20	\$119.70
06/08/2023	Review Stewart's brief in opposition to interlocutory Miramar sale motion.	B51	02062	MC2	0.20	\$119.70

of 17  
**Gibbons P.C.**

Time Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199 <b>Mark Conlan</b> 106202 <b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>
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Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
06/14/2023	Emails to/from M. Conlan and J. Cunningham re: boat lift.	B51	02518	DEB	0.40	\$239.40
06/14/2023	E-mails with J. Cunningham re: sale of boat lift.	B51	02062	MC2	0.30	\$179.55
06/19/2023	Attend to e-mails with A. Brownrigg, B. Gillespie, V. Drohan and D. Barney re: buyer's interest in Sewall's Nassau condo.	B51	02062	MC2	0.10	\$59.85
06/27/2023	Review Maricopa County, AZ, records regarding real property transfers.	B51	02950	CPA	1.20	\$718.20
06/28/2023	Confer with M. Conlan re: Sale of condos.	B51	02518	DEB	0.20	\$119.70
06/29/2023	Conference with M. Conlan and DAGs re: sale of Bahamian condos.	B51	02518	DEB	0.40	\$239.40
06/29/2023	Teams call with US Attorney's Office re: sale of Bahamian condominiums.	B51	02062	MC2	0.40	\$239.40
<b>Sub-Total For Task:</b>					<b>25.80</b>	<b>\$14,955.30</b>
		<b>B51</b>	<b>Sale Motion/363 Sales</b>			
04/26/2023	E-mails to/from M. Conlan re: Bryant Sewall's interest in a non-profit women's football league.	B50	02548	DC	0.10	\$59.85
06/21/2023	Review court notices re: Caribbean property sales.	B50	02548	DC	0.10	\$59.85
06/28/2023	Telephone call with D. Barney re: Bahamas Condos.	B50	02062	MC2	0.10	\$59.85
06/29/2023	E-mails with D. Barney and AUSA B. Gillespie re: Bahamas Condos.	B50	02062	MC2	0.10	\$59.85
<b>Sub-Total For Task:</b>					<b>0.40</b>	<b>\$239.40</b>
		<b>B50</b>	<b>Asset Analysis and Recovery</b>			
<b>Total For Matter:</b>					<b>132.30</b>	<b>\$69,379.35</b>
		<b>106202</b>	<b>Counsel to Mark Conlan in his capacity a</b>			
<b>Totals For Client:</b>					<b>132.30</b>	<b>\$69,379.35</b>

**Gibbons P.C.**

Time Summary  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199	<b>Mark Conlan</b>
106202	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

<b>Atty Code</b>	<b>Initials</b>	<b>Attorney Name</b>	<b>Position</b>	<b>Hours</b>	<b>Avg Rate</b>	<b>Value</b>
02518	DEB	Barney, Dale E.	Director	17.40	\$598.50	\$10,413.90
02062	MC2	Conlan, Mark	Director	29.40	\$598.50	\$17,595.90
00168	PJU	Ulrich, Peter J.	Director	1.00	\$598.50	\$598.50
00169	JTW	Wolak, John T.	Director	0.60	\$598.50	\$359.10
02950	CPA	Anton, Christopher P.	Counsel	14.60	\$598.50	\$8,738.10
02548	DC	Crapo, David	Counsel	38.20	\$598.50	\$22,862.70
30541	MAC	Conforti, Michael A.	Associate	2.40	\$409.50	\$982.80
26059	ER	Rosen, Ellen	Case Manager	27.10	\$274.50	\$7,438.95
15023	FS	Sammy, Fritz	Case Manager	0.40	\$280.00	\$112.00
89266	DW	Whitford, Diane	Case Manager	0.70	\$207.00	\$144.90
40027	RT1	Traylor, Robin	Others	0.50	\$265.00	\$132.50
<b>Totals:</b>				<b>132.30</b>		<b>\$69,379.35</b>

**Gibbons P.C.**

Fee Application  
Run Date: 7/20/2023

<b>Client/Matter:</b> 117199 Mark Conlan 106202 Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,
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<b>Task/ Code</b>	<b>Description Of Services</b>	<b>Hours</b>	<b>Value</b>
RE05	Status Reports	11.40	\$4,425.30
RE04	Data Analysis	0.50	\$299.25
B70	Tax Issues	1.00	\$598.50
B62	Litigation	61.40	\$35,102.40
B58	Fee Applications	12.60	\$4,957.20
B56	Employment Applications	4.20	\$1,152.90
B54	Claims Administration and Objections	0.20	\$119.70
B53	Case Administration	1.20	\$556.20
B52	Business Operations	13.60	\$6,973.20
B51	Sale Motion/363 Sales	25.80	\$14,955.30
B50	Asset Analysis and Recovery	0.40	\$239.40
<b>Totals:</b>		<b>132.30</b>	<b>\$69,379.35</b>

**Gibbons P.C.**

Fee Application  
Run Date: 7/20/2023

<b>Client/Matter:</b>	<b>117199</b>	<b>Mark Conlan</b>
	<b>106202</b>	<b>Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,</b>

Task Code	Description Of Services	Hours	Value
<b>RE05</b>	<b><u>Status Reports</u></b>		
	02518 Barney, Dale E.	0.40	\$239.40
	02062 Conlan, Mark	3.00	\$1,795.50
	02548 Crapo, David	0.60	\$359.10
	26059 Rosen, Ellen	7.40	\$2,031.30
<b>RE05</b>	<b>Status Reports</b>	<b>11.40</b>	<b>\$4,425.30</b>
<b>RE04</b>	<b><u>Data Analysis</u></b>		
	02062 Conlan, Mark	0.50	\$299.25
<b>RE04</b>	<b>Data Analysis</b>	<b>0.50</b>	<b>\$299.25</b>
<b>B70</b>	<b><u>Tax Issues</u></b>		
	00168 Ulrich, Peter J.	1.00	\$598.50
<b>B70</b>	<b>Tax Issues</b>	<b>1.00</b>	<b>\$598.50</b>
<b>B62</b>	<b><u>Litigation</u></b>		
	02950 Anton, Christopher P.	13.40	\$8,019.90
	02518 Barney, Dale E.	1.40	\$837.90
	30541 Conforti, Michael A.	2.10	\$859.95
	02062 Conlan, Mark	5.80	\$3,471.30
	02548 Crapo, David	35.00	\$20,947.50
	26059 Rosen, Ellen	2.10	\$576.45
	15023 Sammy, Fritz	0.40	\$112.00
	40027 Traylor, Robin	0.50	\$132.50
	89266 Whitford, Diane	0.70	\$144.90
<b>B62</b>	<b>Litigation</b>	<b>61.40</b>	<b>\$35,102.40</b>
<b>B58</b>	<b><u>Fee Applications</u></b>		
	30541 Conforti, Michael A.	0.30	\$122.85
	02062 Conlan, Mark	3.50	\$2,094.75
	02548 Crapo, David	1.00	\$598.50
	26059 Rosen, Ellen	7.80	\$2,141.10
<b>B58</b>	<b>Fee Applications</b>	<b>12.60</b>	<b>\$4,957.20</b>
<b>B56</b>	<b><u>Employment Applications</u></b>		
	26059 Rosen, Ellen	4.20	\$1,152.90
<b>B56</b>	<b>Employment Applications</b>	<b>4.20</b>	<b>\$1,152.90</b>
<b>B54</b>	<b><u>Claims Administration and Objections</u></b>		
	02062 Conlan, Mark	0.20	\$119.70
<b>B54</b>	<b>Claims Administration and Objections</b>	<b>0.20</b>	<b>\$119.70</b>
<b>B53</b>	<b><u>Case Administration</u></b>		
	02062 Conlan, Mark	0.20	\$119.70
	02548 Crapo, David	0.50	\$299.25
	26059 Rosen, Ellen	0.50	\$137.25
<b>B53</b>	<b>Case Administration</b>	<b>1.20</b>	<b>\$556.20</b>
<b>B52</b>	<b><u>Business Operations</u></b>		
	02518 Barney, Dale E.	2.30	\$1,376.55
	02062 Conlan, Mark	6.20	\$3,710.70
	02548 Crapo, David	0.90	\$538.65
	26059 Rosen, Ellen	3.60	\$988.20

Time Detail  
Run Date: 7/20/2023

**Client/Matter:** 117199 Mark Conlan  
106202 Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,

	00169	Wolak, John T.	0.60	\$359.10
<b>B52</b>	<b>Business Operations</b>		<b>13.60</b>	<b>\$6,973.20</b>
<b>B51</b>	<b><u>Sale Motion/363 Sales</u></b>			
	02950	Anton, Christopher P.	1.20	\$718.20
	02518	Barney, Dale E.	13.30	\$7,960.05
	02062	Conlan, Mark	9.80	\$5,865.30
	26059	Rosen, Ellen	1.50	\$411.75
<b>B51</b>	<b>Sale Motion/363 Sales</b>		<b>25.80</b>	<b>\$14,955.30</b>
<b>B50</b>	<b><u>Asset Analysis and Recovery</u></b>			
	02062	Conlan, Mark	0.20	\$119.70
	02548	Crapo, David	0.20	\$119.70
<b>B50</b>	<b>Asset Analysis and Recovery</b>		<b>0.40</b>	<b>\$239.40</b>
<b>Totals:</b>			<b>132.30</b>	<b>\$69,379.35</b>

**Gibbons P.C.**Disbursement Detail  
Run Date: 7/20/2023

<b>Client/Matter:</b>	117199	Mark Conlan
	106202	Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc., et al.

Tran Date	Description Of Disbursement	Value
<b><u>Disbursement Type:</u>      <u>Expedited Delivery Service (Federal Express)</u></b>		
04/13/2023	Expedited Delivery Service (Federal Express)	\$45.54
	<b>Total:</b> Expedited Delivery Service (Federal Express)	<b>\$45.54</b>
<b><u>Disbursement Type:</u>      <u>Filing and Miscellaneous Fees</u></b>		
04/13/2023	Filing and Miscellaneous Fees	\$16.00
	<b>Total:</b> Filing and Miscellaneous Fees	<b>\$16.00</b>
<b><u>Disbursement Type:</u>      <u>Legal Research - PACER</u></b>		
06/29/2023	Legal Research - PACER	\$0.70
	<b>Total:</b> Legal Research - PACER	<b>\$0.70</b>
<b>Total Disbursements:</b>		<b>\$62.24</b>

**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.

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**ORDER APPROVING AND AUTHORIZING PAYMENT OF  
RECEIVER'S AND PROFESSIONALS' FEES AND COSTS  
FROM APRIL 1, 2023 THROUGH JUNE 30, 2023**

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Before the Court is Mark B. Conlan's (the "Receiver") *Motion for Order Approving and Authorizing Payment of Receiver's and Professionals' Fees and Costs from April 1, 2023 through June 30, 2023* [ECF No.435] (the "Seventh Quarterly Fee Application"). The Court having reviewed and considered the Seventh Quarterly Fee Application, and all pleadings and evidence filed in support thereof, and there being no opposition to the Seventh Quarterly Fee Application, and good cause appearing therefore, IT IS

ORDERED that:

1. The Seventh Quarterly Fee Application is approved in its entirety;



2. The following fees and costs incurred in the Seventh Expense Period<sup>1</sup>, are hereby authorized to be paid from the assets in the receivership estate:

- a. The Receiver's fees in the amount of \$6,475.00; and
- b. The Receiver's counsel, Gibbons P.C.'s fees in the amount of \$69,379.35 and Gibbons' costs in the amount of \$62.24 for a total of \$69,441.59; and
- c. The Receiver's accountants, Rocky Mountain Advisory, LLC's, fees in the amount of \$3,621.00 and RMA's costs in the amount of \$122.36 for a total of \$3,743.36; and
- d. The Receiver's litigation local counsel in Washington State, Corr Cronin LLP, fees in the amount of \$424.80.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2023.

BY THE COURT:

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RAYMOND P. MOORE  
United States District Judge

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Seventh Quarterly Fee Application.