

**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.

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

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 July 1, 2023 through the end of the third quarter, September 30, 2023 (the "**Eighth Expense Period**" or "**Q3 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 \$1,890.00 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 \$107,772.00 and Gibbons' costs of \$867.20, for a total of \$108,639.20 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 \$3,197.50 and RMA's costs of \$4.92 for a total of \$3,202.42 in connection with services described in detail below as well as on RMA's invoice attached as Exhibit B to the Conlan Declaration.

INTRODUCTION

This is the Eighth Quarterly Fee Application pursuant to the Receiver Order (as defined below), and covers the Eighth Expense Period, from July 1, 2023 through September 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 July 1, 2023 through September 30, 2023* [ECF No. 443] (the "**Receiver's Eighth 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**”).¹ 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, Salve Regina Trust, West Beach LLC, TF Alliance LLC, Hase Haus LLC and Casa Conejo LLC that their clients have no objection to the Quarterly Fee Application. We did not receive a response from the Stewarts or Michael Stewart’s counsel.

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

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; Business Operations; Fee Applications; Status Reports; Case Administration; Relief from Stay; Tax Issues

During the Eighth Expense Period, the Receiver has communicated with personnel from the offices of the Plaintiff, offices of counsel for certain Defendants, and *pro se* Defendants. 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 Eighth Expense Period, Receiver’s counsel prepared and filed the *Report of Receiver’s Activities from April 1, 2023 through June 30, 2023* [ECF No. 434] and *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 “Q2 Fee Application”). The Q2 Fee Application was approved by order dated September 18, 2023 [ECF 436].

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). The paraprofessionals of Receiver’s counsel have been maintaining and updating the website throughout the period to reflect significant activity in matters related to the receivership.

By Order entered on February 14, 2023 [ECF No. 398] (the “**Investment Order**”), the Court approved the *Receiver’s Unopposed Motion for an Order Authorizing Receiver to Invest*

Receivership Funds. ECF No. 397. The Investment Order authorized the Receiver to deposit Receivership Funds with Wilmington Trust, N.A./M&T Bank and to invest those funds in government issued debt securities in the form of Treasury Bills (or “**T-Bills**”). During Q3 2023, the Receiver’s investments through that program generated \$315,364 in interest income. Since the Investment Order was entered, the Receiver has generated \$910,821 in interest income for the benefit of the Receivership Estate.

To date the Receiver has collected a total of \$785,801.00 in settlement payments in avoidance actions of which \$11,288.00 was received during the Eighth Expense Period.

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.

On September 21, 2023, the Receiver commenced an ancillary action in the United States District Court for the District of Colorado against seven defendants seeking to avoid and recover certain asset transfers that occurred in violation of the Court’s asset freeze orders. *Conlan v. Roach, et al.*, Civil Action No. 1:23-cv-02460-STV. The complaint, which was preceded by significant due diligence, alleges that proceeds of the fraudulent scheme underlying the main SEC civil action were funneled to Keystone Business Trust (“**Keystone**”), a Massachusetts business trust created by Michael Stewart (a defendant in the SEC action) and his spouse, Victoria Stewart. (Victoria Stewart and Keystone Business Trust are named as relief defendants in the SEC Action).

The Stewarts used a portion of these proceeds to fund Keystone’s purchase of two parcels of real property in Arizona. The Stewarts and Keystone did not disclose the Arizona properties to the SEC or the Court. Instead, within days after the Court imposed the asset freeze, they caused the properties to be transferred to defendant Wind River Jiroch, LLC, a Wyoming limited liability

company owned by the Stewarts' long-time attorney, defendant James Roach II. Thereafter, Roach facilitated various transactions by which the properties or their proceeds were transferred to the remaining defendants (in the ancillary action) and others.

The complaint seeks to avoid the transfers of the properties under the Uniform Fraudulent Transfer Act and to recover damages against Wind River Jiroch, as the first transferee of the properties; Roach and his law firm, Jiroch Tax Law, PLC, as persons for whose benefit the transfers were made; and Wind River Jiroch, as trustee of the A.L.A. Trust, Shawn Stewart, Aaron Stewart, Kathleen Stewart, and T Squared Contractors LLC, as subsequent transferees of the fraudulent transfers. The Receiver also has asserted claims for unjust enrichment against all defendants.

SUMMARY OF SERVICES BY OTHER RECEIVER PROFESSIONALS

Rocky Mountain Advisory LLC

The majority of RMA's services provided during the Eighth 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, including preparation of the Receivership Estate's 2022 tax returns; 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.

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 Eighth 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 September 30, 2023 and requested in the Motion. Based on the cash on hand reported in the Receiver's Eighth Report, the Receivership Estate was holding \$24,721,091.00, reflecting an increase of \$245,273.00 in cash over the Q2 2023 net closing balance. There are accrued and unpaid fees and costs totaling \$113,732.00 for Q3 2023.

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: November 16, 2023

GIBBONS P.C.

By: /s/ David N. Crapo
David N. Crapo
One Gateway Center
Newark, NJ 07102
Telephone: (973) 596-4500
Facsimile: (973) 596-4545
Email: dcrapo@gibbonslaw.com
Counsel to Mark B. Conlan, as Receiver

CERTIFICATE OF SERVICE

I hereby certify that on November 16, 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 73rd Place, Scottsdale, AZ 85255.

/s/ David N. Crapo

SERVICE LIST

VIA CM/ECF and EMAIL

Sharan Lieberman
U.S. SECURITIES & EXCHANGE
COMMISSION
1961 Stout Street, Suite 1700
Denver, CO 80294-1961
liebermans@sec.gov

Attorneys for Plaintiff

Vivian Drohan
DROHAN LEE
680 Fifth Avenue, 10th Floor
New York, NY 10019
vdrohan@dlkny.com

Jeffrey R. Thomas
THOMAS LAW LLC
3773 Cherry Creek North Dr., Suite 600
Denver, CO 80209
jthomas@thomaslawllc.com

Attorneys for Defendants Mediatrix Capital Inc., Blue Isle Markets Inc., Blue Isle Markets Ltd., Bryant E. Sewall, and Hanna Ohonkova Sewall

Tracy Ashmore
ROBINSON WATERS & O'DORISIO, P.C.
1099 18thSt., Ste 2600
Denver, CO 80202
tashmore@rwolaw.com

Attorney for Defendant Michael S. Young, Maria C. Young, Salve Regina Trust, West Beach LLC, TF Alliance LLC, Hase Haus LLC, and Casa Conejo LLC

Michael S. Stewart (Pro Se)
32531 N. Scottsdale Road
Scottsdale, Arizona 85266
defender1989@protonmail.com

Defendant

Mary V. Butterton
Senior Litigator – Trial Division
Training Director, Colorado CJA Panel
Office of the Federal Public Defender,
District of Colorado
633 17th Street, Suite 1000
Denver, CO 80202
mary_butterton@fd.org

Designation: Public Defender or Community Defender Appointment on behalf of Michael S. Stewart

Victoria M. Stewart (Pro Se)
32531 N. Scottsdale Road
Scottsdale, Arizona 85266
vstewart1989@gmail.com

Relief Defendant

VIA U.S. MAIL

Aaron Stewart
23800 North 73rd Place
Scottsdale, AZ 85255

**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.

**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 JULY 1, 2023 THROUGH SEPTEMBER 30, 2023**

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 July 1, 2023 through September 30, 2023* (the "**Eighth 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 Eighth Expense Period¹ 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 \$1,890.00 for the Eighth 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 \$3,197.50 and RMA's costs of \$4.92 for a total of \$3,202.42 for the Eighth Expense Period.

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

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Eighth Quarterly Fee Application.

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

9. 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 November 14, 2023 at Newark, New Jersey.

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

EXHIBIT A

13
Gibbons P.C.Time Detail
Run Date: 10/19/2023

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

B70

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
07/19/2023	E-mails with accountants re: 2022 tax returns.		02062	MC2	0.10	\$35.00
09/12/2023	E-mails with G. Borak re: 2022 tax returns.		02062	MC2	0.10	\$35.00
09/13/2023	Review, sign and cause 2022 tax returns to be filed.		02062	MC2	0.20	\$70.00
	Sub-Total For Task:	B70	Tax Issues		0.40	\$140.00
08/10/2023	Review fee invoice from Corr Cronin.		02062	MC2	0.10	\$35.00
	Sub-Total For Task:	B58	Fee Applications		0.10	\$35.00
07/06/2023	Review account balances.		02062	MC2	0.20	\$70.00
07/06/2023	E-mails with Wilmington Trust re: T-Bill maturities.		02062	MC2	0.10	\$35.00
07/10/2023	Review and analyze maturing T-Bills (0.3); attend to e-mails with Wilmington Trust re: reinvesting same (0.2).		02062	MC2	0.50	\$175.00
07/10/2023	Prepare, sign and e-mail written direction letters to Wilmington Trust re: re-investing \$17.5 million in maturing T-Bills.		02062	MC2	0.30	\$105.00
07/10/2023	Attend to e-mails with Wilmington Trust re: T-Bill trade confirmations.		02062	MC2	0.10	\$35.00
07/12/2023	Review maturing T-Bills (0.1); update account balances (0.1).		02062	MC2	0.20	\$70.00
07/13/2023	Review June Statement from Freedom Bank.		02062	MC2	0.10	\$35.00
07/24/2023	Review and update T-Bill balances.		02062	MC2	0.20	\$70.00
07/24/2023	Attend to e-mails with L. Misner at Wilmington Trust re: re-investing maturing T-Bills.		02062	MC2	0.20	\$70.00
07/24/2023	Telephone call with L. Misner at M&T re: October T-Bill (0.1); prepare and sign written direction letter (0.1); e-mail same to bank (0.1).		02062	MC2	0.30	\$105.00
07/25/2023	Attending to T-Bill Trades		02062	MC2	0.20	\$70.00
08/07/2023	Update account balances.		02062	MC2	0.20	\$70.00
08/08/2023	Review East West Bank Statement.		02062	MC2	0.10	\$35.00
08/09/2023	Attend to payment of Epiq data hosting invoice; e-mails with R. Fitzgerald and R. Erikson re: same.		02062	MC2	0.10	\$35.00
08/09/2023	Attend to e-mails with Epiq re: August data hosting invoice.		02062	MC2	0.10	\$35.00
08/25/2023	Prepare written directive letter to move \$100,000 from cash to corporate deposit account; sign and deliver same to H. Field at Wilmington Trust.		02062	MC2	0.40	\$140.00
08/30/2023	Attending to e-mails with R. Erikson and G. Charles re: transferring settlement funds to EastWest Bank.		02062	MC2	0.10	\$35.00
08/30/2023	Transfer of settlement proceeds to EastWest Bank account.		02062	MC2	0.10	\$35.00
09/06/2023	Review and update account balances.		02062	MC2	0.10	\$35.00
09/11/2023	Review Freedom Bank's August Account Statement.		02062	MC2	0.10	\$35.00
09/12/2023	Prepare written directive letters for maturing T-Bills.		02062	MC2	0.20	\$70.00
09/12/2023	Review, sign and transmit Written Direction letters Wilmington Trust for December 14 T-Bill maturities.		02062	MC2	0.20	\$70.00
09/13/2023	Attending to T-Bill trades.		02062	MC2	0.20	\$70.00
09/15/2023	Review revised account balances following maturing T-Bills; update spreadsheet with same.		02062	MC2	0.20	\$70.00
09/15/2023	Attend to Epiq data hosting invoice.		02062	MC2	0.10	\$35.00
09/19/2023	Review Order approving Q2 2023 fees (0.1); e-mails with R. Erikson re: payment of same (0.1).		02062	MC2	0.20	\$70.00
09/19/2023	Review and sign wire instructions for EastWest Bank re: payment of professional fees.		02062	MC2	0.10	\$35.00
	Sub-Total For Task:	B52	Business Operations		4.90	\$1,715.00
	Total For Matter:	106197	Mark Conlan in his capacity as SEC Recei		5.40	\$1,890.00
Totals For Client:					5.40	\$1,890.00

Gibbons P.C.

Time Summary
Run Date: 10/19/2023

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

Atty Code	Initials	Attorney Name	Position	Hours	Avg Rate	Value
02062	MC2	Conlan, Mark	Director	5.40	\$350.00	\$1,890.00
Totals:				5.40		\$1,890.00

Gibbons P.C.

Fee Application
Run Date: 10/19/2023

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

Task/ Code	Description Of Services	Hours	Value
B70	Tax Issues	0.40	\$140.00
B58	Fee Applications	0.10	\$35.00
B52	Business Operations	4.90	\$1,715.00
Totals:		5.40	\$1,890.00

Gibbons P.C.

Fee Application
Run Date: 10/19/2023

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

Task Code	Description Of Services	Hours	Value
<u>B70</u>	<u>Tax Issues</u>		
	02062 Conlan, Mark	0.40	\$140.00
B70	Tax Issues	0.40	\$140.00
<u>B58</u>	<u>Fee Applications</u>		
	02062 Conlan, Mark	0.10	\$35.00
B58	Fee Applications	0.10	\$35.00
<u>B52</u>	<u>Business Operations</u>		
	02062 Conlan, Mark	4.90	\$1,715.00
B52	Business Operations	4.90	\$1,715.00
Totals:		5.40	\$1,890.00

EXHIBIT B

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



October 04, 2023

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

Invoice Number: 16885
 Invoice Period: 07-05-2023 - 09-30-2023

Payment Terms: Net 15

RE: Mediatrix Capital

SEC v. Mediatrix

Time Details

Date	Staff Member	Description	Hours	Rate	Amount
<u>Accounting</u>					
07-24-2023	HD	Updated QuickBooks for Q2 2023 activity for three different bank accounts and reconciled for completeness.	2.40	250.00	600.00
			2.40		600.00
<u>Case Administration</u>					
07-10-2023	RE	Post settlement payment to the ledger (.1). Deposit settlement check and overnight to bank (.1).	0.20	100.00	20.00
07-11-2023	HD	Began compiling information for 2023 Q2 report by corresponding with M. Conlan, E. Rosen and R. Erekson regarding invoices (.5). Accessed three different bank systems and downloaded monthly bank statements (.6).	1.10	250.00	275.00
07-18-2023	RE	Deposit settlement payment and communicate same to receiver.	0.20	100.00	20.00
07-24-2023	HD	Prepared Q2 2023 Quarterly Report and sent to J. Curtis for review.	1.90	250.00	475.00
07-25-2023	JHC	Reviewed quarterly report exhibits and reports and sent to Receiver's office for filing.	0.80	345.00	276.00
07-26-2023	HD	Corresponded with E. Rosen regarding updates needed to quarterly exhibits.	0.20	250.00	50.00
07-31-2023	RE	Post ACH settlement payment to the ledger.	0.10	100.00	10.00
08-02-2023	RE	Post settlement payment to the ledger.	0.10	100.00	10.00
08-10-2023	HD	Corresponded with E. Rosen regarding figures for quarterly report.	0.50	250.00	125.00
08-11-2023	RE	Deposit settlement payment (.1). Prepare vendor payment (.1).	0.20	100.00	20.00
08-29-2023	RE	Prepare settlement payment deposit and document (.1). Post ACH settlement payment to the ledger (.1).	0.20	100.00	20.00
08-31-2023	RE	Post settlement payment to the ledger and communicate with receiver.	0.10	100.00	10.00

Date	Staff Member	Description	Hours	Rate	Amount
<u>Case Administration</u>					
09-07-2023	RE	Post settlement payment to the ledger and document.	0.10	100.00	10.00
09-19-2023	RE	Generate checks for payment to professionals for seventh quarterly fee application (.1). Initiate wire payment to Receiver and Receiver's counsel (.3).	0.40	100.00	40.00
			6.10		1,361.00
<u>Forensic/Investigation</u>					
07-18-2023	JHC	Searched for information on assets and accounts of P. Velcich to collect judgment and provided the same to counsel.	0.60	345.00	207.00
09-19-2023	JHC	Searched for and reviewed investor cash receipts and disbursements analysis and work product (.5). Submitted to receiver with comments and explanation (.2).	0.70	345.00	241.50
			1.30		448.50
<u>Tax Work</u>					
07-05-2023	SO	Review documents provided by client (.1). Analyze and compile list of documents still needed to begin tax preparation for 2022 (.1).	0.20	240.00	48.00
07-07-2023	HD	Began working on 2022 federal and state tax returns.	1.40	250.00	350.00
07-25-2023	JG	Review 2022 tax returns.	0.60	265.00	159.00
08-04-2023	HD	Updated 2022 federal return post J. Gifford's review.	0.50	250.00	125.00
08-07-2023	JG	Review changes to 2022 tax return.	0.40	265.00	106.00
			3.10		788.00
			Total		3,197.50

Time Summary

Staff Member	Hours	Rate	Amount
Heather Denison	8.00	250.00	2,000.00
John H. Curtis	2.10	345.00	724.50
Josh Gifford	1.00	265.00	265.00
Raani Ereksion	1.60	100.00	160.00
Saria Ott	0.20	240.00	48.00
Total	12.90		3,197.50

Expense Summary

Expense	Amount
Copies	2.40
Postage	2.52
Total Expenses	4.92

Total for this Invoice	3,202.42
Previous Invoice Balance	3,743.36
Payment - 1070 on 09-22-2023	(3,743.36)
Total Amount to Pay as of 10-17-2023	3,202.42

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



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

October 04, 2023

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

Invoice Number: 16885
Invoice Period: 07-05-2023 - 09-30-2023

REMITTANCE COPY

RE: Mediatrix Capital

Fees	3,197.50
Expenses	4.92
Total for this Invoice	3,202.42
Previous Invoice Balance	3,743.36
Payment - 1070 on 09-22-2023	(3,743.36)
Total Amount to Pay as of 10-17-2023	3,202.42

Project	Balance Due
Mediatrix Capital	3,202.42
Total Amount to Pay	3,202.42

Open Invoices and Credits

Date	Transaction	Project	Amount	Applied	Balance
10-04-2023	Invoice 16885	Mediatrix Capital	3,202.42		3,202.42
				Balance	3,202.42

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



**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.

**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 JULY 1, 2023 THROUGH SEPTEMBER 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 July 1, 2023 through September 30, 2023 (the "Eighth 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 \$107,772.00 plus costs of \$867.20 for a total of \$108,639.20 for the Eighth Expense Period¹.

5. In accordance with the Receiver Order, I certify that the Eighth 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 Eighth 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 November 14, 2023 at Newark, New Jersey.

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

¹ Capitalized terms not otherwise defined herein shall have the meaning in the Eighth Quarterly Fee Application ascribed to them.

EXHIBIT A

15
Gibbons P.C.Time Detail
Run Date: 10/19/2023**Client/Matter:** 117199 Mark Conlan
106202 Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatix Capital Inc.,

RE06

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
09/21/2023	Attend to telephone calls and e-mails with D. Whitford re: shutting down Relativity database.		02062	MC2	0.10	\$59.85
09/22/2023	Review and sign Epiq Data Destruction Authorization Form re: Relativity hosting platform; e-mails with D. Whitford re: same.		02062	MC2	0.10	\$59.85
	Sub-Total For Task:	RE06	Litigation Consulting		0.20	\$119.70
07/19/2023	Email with RMA re: Q2 2023 invoice.		26059	ER	0.10	\$27.45
07/19/2023	Draft 7th Quarterly Report for Q2 2023.		26059	ER	1.10	\$301.95
07/20/2023	Draft 7th Quarterly Report for Q2 2023.		26059	ER	0.10	\$27.45
07/25/2023	Review/revise quarterly report.		02518	DEB	0.30	\$179.55
07/25/2023	Review financial reports from RMA for Q2 2023 report.		02062	MC2	0.20	\$119.70
07/25/2023	Review draft of Receiver's quarterly report.		02548	DC	0.30	\$179.55
07/25/2023	Email with H. Denison and J. Curtis re: RMA quarterly report (0.1); review and receipt of RMA quarterly report (0.1).		26059	ER	0.20	\$54.90
07/25/2023	Draft portions of Q2 2023 (7th) Quarterly Report (0.7); email with team re: same (0.1).		26059	ER	0.80	\$219.60
07/26/2023	Edits and revisions to 7th Quarterly report.		30541	MAC	0.50	\$204.75
07/26/2023	Working session with E. Rosen re: Q2 2023 Quarterly report.		02062	MC2	0.40	\$239.40
07/26/2023	Working on Q2 2023 report (1.2); telephone calls and e-mails with E. Rosen, M. Conforti and Corr Cronin re: same (0.3).		02062	MC2	1.50	\$897.75
07/26/2023	Email with H. Denison re: RMA quarterly report (0.2).		26059	ER	0.20	\$54.90
07/26/2023	Draft portions of Q2 2023 (7th) Quarterly Report (1.5); confer and email with team re: same (0.5); prepare RMA report for electronic filing (0.3).		26059	ER	2.30	\$631.35
07/27/2023	Telephone calls with E. Rosen re: Q2 2023 report (0.1); edits to same (0.1).		02062	MC2	0.20	\$119.70
07/27/2023	Confer with M. Conlan re: quarterly report.		02548	DC	0.10	\$59.85
07/27/2023	Revise 7th Quarterly Report for Q2 2023 to add footnote (0.1); confer and email with M. Conlan re: same (0.1).		26059	ER	0.20	\$54.90
07/28/2023	Attend to e-mails with N. Mitchell and D. Crapo re: Q2 2023 report.		02062	MC2	0.10	\$59.85
07/28/2023	E-mails to/from N. Mitchell re: quarterly report.		02548	DC	0.10	\$59.85
08/07/2023	Review filed Q2 2023 Report.		02062	MC2	0.10	\$59.85
	Sub-Total For Task:	RE05	Status Reports		8.80	\$3,552.30
08/31/2023	Attend to e-mails with J. Gifford and P. Ulrich re: Mediatix 2022 tax returns.		02062	MC2	0.10	\$59.85
09/06/2023	Review draft 2022 IRS Form 1120-SF (0.2); note comments (0.1).		00168	PJU	0.30	\$179.55
09/08/2023	Complete review of 2022 Form 1120-SF and related Request for Prompt Assessment (0.1); forward limited comments to M. Conlan (0.1).		00168	PJU	0.20	\$119.70
	Sub-Total For Task:	B70	Tax Issues		0.60	\$359.10
09/11/2023	Review and analyze Blue Isle Creditors' Draft Motion for Relief from Receivership Stay (0.6); e-mails with D. Barney and SEC Counsel re: same (0.3).		02062	MC2	0.90	\$538.65
	Sub-Total For Task:	B69	Relief from Stay Proceedings		0.90	\$538.65
07/05/2023	Attend to e-mails with C. Anton re: Stewart asset freeze violation.		02062	MC2	0.10	\$59.85
07/06/2023	Research regarding fraudulent transfer issues.		02950	CPA	4.30	\$2,573.55
07/06/2023	Draft/revise fraudulent transfer complaint regarding Arizona properties.		02950	CPA	3.30	\$1,975.05
07/06/2023	Review Wyoming corporate filings for Wind River Jiroch, LLC.		02950	CPA	0.30	\$179.55
07/06/2023	Research regarding capacity of Wyoming trust to be sued.		02950	CPA	0.20	\$119.70
07/06/2023	Review receipt of avoidance settlement check; e-mails with G. Borak and G. Charles re: same.		02062	MC2	0.10	\$59.85
07/07/2023	Research regarding fraudulent transfer and related claims.		02950	CPA	2.20	\$1,316.70
07/07/2023	Review documents relating to transfer of Arizona properties including Maricopa County land title records and State corporate filings.		02950	CPA	1.50	\$897.75
07/07/2023	Massachusetts business entity search regarding Keystone Business Trust.		02950	CPA	0.20	\$119.70
07/07/2023	Draft/revise fraudulent transfer complaint (Arizona properties).		02950	CPA	2.00	\$1,197.00
07/10/2023	Review documents regarding fraudulent transfers of Arizona properties.		02950	CPA	0.80	\$478.80
07/10/2023	Business entity searches for Keystone Business Trust and related entities.		02950	CPA	0.50	\$299.25

15
Gibbons P.C.Time Detail
Run Date: 10/19/2023**Client/Matter:** 117199 Mark Conlan
106202 Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,

B62

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
07/10/2023	Research concerning fraudulent transfer issues.		02950	CPA	3.50	\$2,094.75
07/10/2023	Conference with M. Conlan regarding potential fraudulent transfer claims.		02950	CPA	0.70	\$418.95
07/10/2023	Emails to/from M. Conlan regarding Keystone Business Trust deeds.		02950	CPA	0.10	\$59.85
07/10/2023	Conference with C. Anton re: asset freeze litigation.		02062	MC2	0.70	\$418.95
07/10/2023	E-mails with C. Anton re: deeds to 85th St. and Casitas properties.		02062	MC2	0.10	\$59.85
07/11/2023	Research regarding fraudulent transfer/standing issues.		02950	CPA	3.30	\$1,975.05
07/11/2023	Emails to/from M. Conlan regarding Keystone Business Trust.		02950	CPA	0.10	\$59.85
07/11/2023	Emails from SEC Counsel regarding Keystone Business Trust.		02950	CPA	0.10	\$59.85
07/11/2023	Review Keystone Business Trust documents.		02950	CPA	1.50	\$897.75
07/11/2023	Review Arizona UFTA.		02950	CPA	0.30	\$179.55
07/11/2023	Research concerning Massachusetts business trusts.		02950	CPA	1.50	\$897.75
07/11/2023	Review documents in connection with asset freeze violations.		02062	MC2	0.70	\$418.95
07/11/2023	Telephone call with C. Anton re: asset freeze violation complaint.		02062	MC2	0.50	\$299.25
07/11/2023	E-mails with SEC re: Keystone Business Trust.		02062	MC2	0.20	\$119.70
07/12/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	3.50	\$2,094.75
07/13/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	3.60	\$2,154.60
07/13/2023	Review documents and pleadings for complaint.		02950	CPA	1.70	\$1,017.45
07/14/2023	Created settlement tracking spreadsheet to track monthly payment settlements with Net Winners and Brokers.		30541	MAC	0.30	\$122.85
07/14/2023	Attention to Order for Default Judgment against Broker Defendant.		30541	MAC	0.40	\$163.80
07/14/2023	Review e-mail from M. Conforti re: settlement payment issues.		02548	DC	0.10	\$59.85
07/14/2023	Review and receipt of Default Judgment against Defendant Velcich.		26059	ER	0.10	\$27.45
07/17/2023	Research regarding fraudulent transfer issues.		02950	CPA	1.50	\$897.75
07/17/2023	E-mails with R. Erekson and broker defendant re: settlement payment.		02062	MC2	0.10	\$59.85
07/20/2023	Legal research for asset freeze violation complaint.		02950	CPA	2.20	\$1,316.70
07/20/2023	Review Arizona land title records and corporate searches.		02950	CPA	0.40	\$239.40
07/21/2023	Draft memorandum to M. Conlan concerning potential claims relating to transfers of Arizona properties.		02950	CPA	2.00	\$1,197.00
07/21/2023	Telephone call with C. Anton re: asset freeze violation complaint.		02062	MC2	0.10	\$59.85
07/24/2023	Research concerning receiver's complaint against asset freeze defendants.		02950	CPA	0.80	\$478.80
07/24/2023	Draft memorandum regarding asset freeze violation issues.		02950	CPA	2.80	\$1,675.80
07/25/2023	Research legal issues relating to business trusts and express trusts.		02950	CPA	1.40	\$837.90
07/25/2023	Draft memo to M. Conlan regarding legal issues.		02950	CPA	3.50	\$2,094.75
07/25/2023	Conference with Faegre Drinker team and M. Conlan re: investors' assertion of derivative claims against prime broker.		02518	DEB	0.60	\$359.10
07/26/2023	Research concerning business trusts and related matters.		02950	CPA	3.50	\$2,094.75
07/26/2023	Draft memorandum to M. Conlan regarding claims and legal issues relating to transfers of Arizona properties.		02950	CPA	1.70	\$1,017.45
07/26/2023	Researched and drafted documents necessary to effect service of writ of execution with the US Marshal's Service.		30541	MAC	1.30	\$532.35
07/27/2023	Draft memorandum to M. Conlan regarding claims arising from transfer of Arizona properties and related legal issues.		02950	CPA	4.40	\$2,633.40
07/27/2023	Telephone call to and conference with and e-mails to/from Robert Welch, counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.		02548	DC	0.30	\$179.55
07/28/2023	E-mails to/from Robert Welch, counsel for Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.		02548	DC	0.10	\$59.85
08/03/2023	Confer with Robert Welch, counsel to the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: final resolution of Receiver's claim.		02548	DC	0.20	\$119.70
08/03/2023	E-mail to Mr. Welsh re: resolution of Receiver's claim.		02548	DC	0.20	\$119.70
08/08/2023	Fact investigation for asset freeze violation complaint.		02950	CPA	0.80	\$478.80
08/08/2023	Legal research regarding asset freeze violation complaint.		02950	CPA	1.50	\$897.75
08/08/2023	Draft memorandum to M. Conlan concerning complaint regarding asset freeze violations.		02950	CPA	2.20	\$1,316.70

Gibbons P.C.

Time Detail

Run Date: 10/19/2023

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

B62

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
08/09/2023	Research for asset freeze violation complaint.		02950	CPA	0.60	\$359.10
08/09/2023	Draft memorandum to M. Conlan regarding asset freeze violation issues.		02950	CPA	3.30	\$1,975.05
08/10/2023	Research for asset freeze violation complaint.		02950	CPA	4.50	\$2,693.25
08/11/2023	Research for asset freeze violation complaint.		02950	CPA	0.60	\$359.10
08/11/2023	Confer with Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.		02548	DC	0.30	\$179.55
08/15/2023	Finalized and effected service of US Marshal forms for Broker defendant's default judgment writ of execution.		30541	MAC	0.30	\$122.85
08/15/2023	E-mail to Robert Welsh, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: settlement agreement.		02548	DC	0.10	\$59.85
08/16/2023	E-mails to/from Robert Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.		02548	DC	0.20	\$119.70
08/17/2023	Research for complaint for asset freeze violations.		02950	CPA	1.40	\$837.90
08/22/2023	Research for asset freeze violation complaint.		02950	CPA	1.00	\$598.50
08/24/2023	Research for asset freeze violation complaint.		02950	CPA	2.80	\$1,675.80
08/24/2023	Review, sign and transmit Settlement Agreement with Archdiocese of Philadelphia to D. Crapo.		02062	MC2	0.20	\$119.70
08/24/2023	E-mails to/from Robert E. Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: settlement agreement resolving Receiver's claim.		02548	DC	0.30	\$179.55
08/24/2023	Confer with Robert E. Welch, counsel for the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: settlement agreement resolving Receiver's claim.		02548	DC	0.20	\$119.70
08/24/2023	E-mails to/from M.B. Conlan re: settlement agreement resolving Receiver's claims against Archdiocese of Philadelphia and St. Charles Borromeo Seminary.		02548	DC	0.20	\$119.70
08/28/2023	Research for asset freeze violation complaint.		02950	CPA	2.20	\$1,316.70
08/29/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	0.80	\$478.80
08/29/2023	Research regarding recovery for asset freeze violations.		02950	CPA	1.10	\$658.35
08/30/2023	Research for asset freeze violation complaint.		02950	CPA	0.50	\$299.25
08/30/2023	E-mails with G. Charles and D. Crapo re: settlement with Diocese of Philadelphia.		02062	MC2	0.10	\$59.85
08/30/2023	E-mail to Robert E. Welch, counsel to the Archdiocese of Philadelphia and St. Charles Borromeo Seminary, re: resolution of Receiver's claim.		02548	DC	0.20	\$119.70
08/30/2023	E-mails to/from G. Charles re: settlement payment by the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.		02548	DC	0.10	\$59.85
08/30/2023	E-mails to/from M.B. Conlan re: settlement payment by the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.		02548	DC	0.10	\$59.85
08/31/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	1.50	\$897.75
08/31/2023	Draft/revise memorandum to M. Conlan regarding fraudulent transfer complaint.		02950	CPA	0.70	\$418.95
08/31/2023	E-mails with E. Rosen re: settlement with Archdiocese of Philadelphia.		02062	MC2	0.10	\$59.85
08/31/2023	E-mails to/from M.B. Conlan, E. Rosen, G. Charles and Raani Erekson of Rocky Mountain Group re: settlement of Receiver's claims against the Archdiocese of Philadelphia and St. Charles Borromeo Seminary.		02548	DC	0.40	\$239.40
08/31/2023	Review court notice re: Alternative Asset Management adversary proceeding.		02548	DC	0.10	\$59.85
08/31/2023	E-mails to/from M. Conlan and M. Conforti re: Alternative Asset Management adversary.		02548	DC	0.20	\$119.70
08/31/2023	Review and receipt of settlement documentation; email with team re: same.		26059	ER	0.10	\$27.45
09/01/2023	Draft/revise memorandum to M. Conlan regarding asset freeze violations.		02950	CPA	3.40	\$2,034.90
09/01/2023	Emails regarding Broker Defendant's matter.		30541	MAC	0.10	\$40.95
09/01/2023	Drafted and effected filing of Voluntary Dismissal of the Broker Defendant action.		30541	MAC	0.10	\$40.95
09/01/2023	Review docket in broker case, including Order to Show Cause (0.1); e-mails with M. Conforti, D. Crapo and N. Mitchell re: closing same (0.1).		02062	MC2	0.20	\$119.70
09/01/2023	Review e-mails between M. Conlan and M. Conforti and filings re: dismissal of Alternative Asset Management adversary proceeding.		02548	DC	0.20	\$119.70
09/05/2023	Research regarding fraudulent transfer claims.		02950	CPA	2.80	\$1,675.80
09/05/2023	Draft/finalize memorandum to M. Conlan regarding fraudulent transfer claims.		02950	CPA	1.10	\$658.35
09/06/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	2.20	\$1,316.70
09/06/2023	Review and analyze research memo from C. Anton on asset freeze claims.		02062	MC2	1.50	\$897.75
09/11/2023	Review plaintiffs' draft motion for relief from stay order to pursue estate claims against prime broker and emails to/from M. Conlan re: same.		02518	DEB	0.60	\$359.10

Gibbons P.C.Time Detail
Run Date: 10/19/2023**Client/Matter:** 117199 Mark Conlan
106202 Counsel to Mark Conlan in his capacity as SEC Receiver for Mediatrix Capital Inc.,

B62

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
09/11/2023	Review status of Alternative Asset Management Group, Guardian Group and K8EDW litigation matters.		02062	MC2	0.10	\$59.85
09/12/2023	Conference with M. Conlan regarding fraudulent transfer claims.		02950	CPA	0.60	\$359.10
09/12/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	3.30	\$1,975.05
09/12/2023	Confer with C. Anton re: asset freeze complaint.		02062	MC2	0.60	\$359.10
09/13/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	2.50	\$1,496.25
09/14/2023	Research for fraudulent transfer complaint.		02950	CPA	1.60	\$957.60
09/14/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	4.50	\$2,693.25
09/15/2023	Research for complaint.		02950	CPA	0.50	\$299.25
09/15/2023	Draft/revise fraudulent transfer complaint.		02950	CPA	2.70	\$1,615.95
09/15/2023	Emails re: SEC/Faegre conference on prime broker claims (0.2); telephone with D. Porteous re: same (0.3).		02518	DEB	0.50	\$299.25
09/15/2023	E-mails with Faegre Drinker re: Standing Motion.		02062	MC2	0.10	\$59.85
09/18/2023	Work on fraudulent transfer complaint (3.1); review background documents for same (1.3).		02950	CPA	4.40	\$2,633.40
09/19/2023	Conference with M. Conlan regarding fraudulent transfer complaint.		02950	CPA	0.60	\$359.10
09/19/2023	Review prior investment motion and order.		02950	CPA	0.20	\$119.70
09/19/2023	Research for fraudulent transfer/asset freeze complaint.		02950	CPA	0.60	\$359.10
09/19/2023	Emails to/from M. Conlan regarding Keystone Business Trust.		02950	CPA	0.10	\$59.85
09/19/2023	Confer with M. Conlan and SEC counsel re: Investors' motion for stay relief to assert derivative claims against prime broker.		02518	DEB	0.70	\$418.95
09/19/2023	Telephone call with T. Ashmore re: document request (0.2); e-mails with J. Curtis re: same (0.3).		02062	MC2	0.50	\$299.25
09/20/2023	Conferences with M. Conlan and D. Crapo regarding complaint.		02950	CPA	1.00	\$598.50
09/20/2023	Emails to/from M. Conlan and D. Crapo regarding complaint.		02950	CPA	0.50	\$299.25
09/20/2023	Draft/revise fraudulent transfer/asset freeze complaint.		02950	CPA	1.70	\$1,017.45
09/20/2023	Review corporate searches regarding corporate defendants.		02950	CPA	0.30	\$179.55
09/20/2023	Review documents cited in complaint.		02950	CPA	0.80	\$478.80
09/20/2023	Review docket in criminal case (0.1); e-mail E. Rosen and N. Mitchell re: need to update calendar (0.1).		02062	MC2	0.20	\$119.70
09/20/2023	Conferences with C. Anton and D. Crapo re: asset freeze violation complaint.		02062	MC2	1.00	\$598.50
09/20/2023	Review and revise asset freeze violation complaint(1.8); fact research in support of same (1.1).		02062	MC2	2.90	\$1,735.65
09/20/2023	Review and analyze latest draft of complaint against asset freeze order violators.		02548	DC	0.60	\$359.10
09/20/2023	Review and respond to emails from C. Anton re: latest draft of complaint against asset freeze order violators.		02548	DC	0.20	\$119.70
09/20/2023	Participate in conference with M. Conlan and C. Anton re: latest draft of complaint against asset freeze order violators.		02548	DC	0.50	\$299.25
09/21/2023	Telephone with M. Conlan regarding complaint.		02950	CPA	0.20	\$119.70
09/21/2023	Revise/finalize complaint (1.7); prepare civil cover sheet and attend to filing (0.6).		02950	CPA	2.30	\$1,376.55
09/21/2023	Confer with Faegre Drinker and SEC teams re: case status.		02518	DEB	0.50	\$299.25
09/21/2023	Telephone call with T. Cafferty re: edits to Asset Freeze Violation Complaint.		02062	MC2	0.20	\$119.70
09/21/2023	Telephone call with C. Anton re: edits to Asset Freeze complaint.		02062	MC2	0.10	\$59.85
09/21/2023	WEBEX Call with Faegre team and J. Felder re: Faegre standing motion.		02062	MC2	0.50	\$299.25
09/21/2023	Telephone call with C. Anton re: civil cover sheet for asset freeze complaint.		02062	MC2	0.20	\$119.70
09/21/2023	Attend to e-mails with T. Ashmore and D. Barney re: document request from Young's attorney.		02062	MC2	0.10	\$59.85
09/21/2023	E-mails with SEC team re: Asset Freeze Violation complaint.		02062	MC2	0.10	\$59.85
09/21/2023	Prepare civil cover sheet.		15023	FS	0.30	\$90.00
09/21/2023	Format and submission of District of Colorado complaint with supporting papers.		15023	FS	0.50	\$150.00
09/21/2023	Obtain filed pleadings(0.1); facilitate attorney review (0.1).		15023	FS	0.20	\$60.00
09/22/2023	Review draft summonses.		02950	CPA	0.30	\$179.55
09/22/2023	Review searches regarding addresses for service.		02950	CPA	0.20	\$119.70
09/22/2023	Review e-mails between M. Conforti and Matthew Gray re: settlement of Receiver's claim against M. Gray.		02548	DC	0.20	\$119.70

Gibbons P.C.

Time Detail

Run Date: 10/19/2023

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

B62

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
09/22/2023	Prepare summonses for submission to clerk of the court.		15023	FS	0.40	\$120.00
09/22/2023	Obtain District of Colorado filings, current docket (0.1): facilitate attorney review (0.1).		15023	FS	0.20	\$60.00
09/22/2023	Obtain additional service information for defendant James Roach and related entities.		15023	FS	0.20	\$60.00
09/25/2023	Research regarding service of process issues.		02950	CPA	0.40	\$239.40
09/25/2023	Research addresses for service of process.		02950	CPA	1.50	\$897.75
09/25/2023	Confirm service locations for specified defendant entities (0.1); notify counsel (0.1).		15023	FS	0.30	\$90.00
09/25/2023	Modify district court summonses in preparation for filing.		15023	FS	0.30	\$90.00
09/26/2023	Research regarding service of process issues.		02950	CPA	2.10	\$1,256.85
09/26/2023	Research/review documents regarding addresses for service.		02950	CPA	1.60	\$957.60
09/26/2023	Confer with C. Anton re: service of asset freeze violation complaint.		02062	MC2	0.10	\$59.85
09/26/2023	E-mails with broker defendant Vision Financial re: settlement payment.		02062	MC2	0.10	\$59.85
09/26/2023	Review e-mails between M. Conforti and Matthew Gray re: resolution of Receiver's claim against M. Gray.		02548	DC	0.10	\$59.85
09/27/2023	Research regarding service of process on defendants.		02950	CPA	0.70	\$418.95
09/27/2023	Draft/revise summonses and attend to summons requests.		02950	CPA	0.60	\$359.10
09/27/2023	Format and submission of requests for issuance of summonses (0.2) notify counsel (0.1).		15023	FS	0.30	\$90.00
09/28/2023	Review minute order regarding status conference.		02950	CPA	0.10	\$59.85
09/28/2023	Review summonses.		02950	CPA	0.10	\$59.85
09/28/2023	Obtain issued summonses (0.1); transmittal to counsel (0.1).		15023	FS	0.20	\$60.00
09/29/2023	Attend to service of summonses and complaint.		02950	CPA	0.10	\$59.85
09/29/2023	E-mails with M. Conforti and R. Erekson re: settlement payments.		02062	MC2	0.10	\$59.85
	Sub-Total For Task:				155.70	\$91,783.50
		B62		Litigation		
07/13/2023	Telephone call and e-mails with E. Rosen re: Q2 2023 fee application.		02062	MC2	0.10	\$59.85
07/24/2023	Telephone call with E. Rosen re: Q2 Quarterly Report and Q2 Fee Application.		02062	MC2	0.10	\$59.85
08/02/2023	Draft portions of Q2 2023 (7th) Quarterly Fee Application.		26059	ER	0.80	\$219.60
08/04/2023	Draft portions of Q2 2023 (7th) Quarterly Fee Application.		26059	ER	0.50	\$137.25
08/07/2023	E-mails with E. Rosen and R. Erekson re: Q2 2023 fee application		02062	MC2	0.20	\$119.70
08/07/2023	Telephone call with E. Rosen re: Q2 2023 fee application.		02062	MC2	0.10	\$59.85
08/07/2023	Detailed email with M. Conlan and D. Crapo re: Q2 2023 (7th) Quarterly Fee Application (0.2); revise and edit portions of 7th Quarter Fee Application for Q2 2023 (0.4) .		26059	ER	0.60	\$164.70
08/08/2023	Review and revise Q2 2023 Fee Application.		02062	MC2	0.50	\$299.25
08/08/2023	E-mails to/from M.B. Conlan re: fee application.		02548	DC	0.10	\$59.85
08/08/2023	E-mails to/from E. Rosen re: fee application.		02548	DC	0.20	\$119.70
08/08/2023	Fee application preparation.		02548	DC	1.30	\$778.05
08/08/2023	Edit portions of 7th Quarter Fee Application for Q2 2023 (0.3); email with team re: same (0.1).		26059	ER	0.40	\$109.80
08/09/2023	Edits to Seventh Quarterly Fee App.		30541	MAC	0.10	\$40.95
08/09/2023	Telephone call with E. Rosen re: Q2 2023 Fee Application.		02062	MC2	0.10	\$59.85
08/09/2023	Review supporting declarations for Q2 2023 fee application (0.1); e-mails with E. Rosen re: same (0.1).		02062	MC2	0.20	\$119.70
08/09/2023	Review and respond to e-mails from E. Rosen re: quarterly fee application.		02548	DC	0.20	\$119.70
08/09/2023	Edit portions of 7th Quarter Fee Application for Q2 2023 (0.9); email and confer with team re: same (0.2).		26059	ER	1.10	\$301.95
08/09/2023	Draft Declarations in support of 7th Quarterly Fee Application for Q2 2023 (0.4); draft Proposed Order granting 7th Quarterly Fee Application (0.2); email with team re: same (0.1).		26059	ER	0.70	\$192.15
08/10/2023	Review and revise Q2 2023 fee application.		02062	MC2	0.30	\$179.55
08/10/2023	Attend to e-mails with D. Crapo, E. Rosen and H. Dennison re: Q2 2023 fee application.		02062	MC2	0.20	\$119.70
08/10/2023	E-mails to/from M.B. Conlan and from E. Rosen re: quarterly fee application.		02548	DC	0.20	\$119.70
08/10/2023	Edit portions of 7th Quarterly Fee Application for Q2 2023, Conlan Declaration in Support, and Proposed Order (1.4); email and confer with team re: same (0.3); prepare for submission to SEC counsel (0.4); email re: same (0.1).		26059	ER	2.20	\$603.90

15
Gibbons P.C.Time Detail
Run Date: 10/19/2023

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

B58

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
08/18/2023	E-mails with E. Rosen and SEC team re: Q2 fee application.		02062	MC2	0.10	\$59.85
08/18/2023	Email with M. Conlan re: SEC review of 7th Quarterly Fee Application.		26059	ER	0.10	\$27.45
08/22/2023	E-mails with SEC team re: Q2 Fee Application.		02062	MC2	0.10	\$59.85
08/22/2023	Attending to e-mails with defense counsel re: Q2 2023 Fee Application.		02062	MC2	0.30	\$179.55
08/22/2023	Email with SEC re: 7th Quarterly Fee Application (0.1); confer and email with team re: same (0.1).		26059	ER	0.20	\$54.90
08/24/2023	Attend to e-mails with counsel for parties in interest re: Q2 2023 fee application.		02062	MC2	0.10	\$59.85
08/24/2023	E-mails with N. Mitchell and E. Rosen re: edits to Q2 2023 fee application.		02062	MC2	0.10	\$59.85
08/24/2023	E-mails with N. Mitchell re: fee application.		02062	MC2	0.10	\$59.85
08/24/2023	Revisions to Q2 2023 Fee Application (0.1); telephone call with N. Mitchell re: same (0.1).		02062	MC2	0.20	\$119.70
08/24/2023	Final review of Q2 fee application; e-mails with N. Mitchell re: same.		02062	MC2	0.10	\$59.85
08/24/2023	E-mails to/from N. Mitchell re: fee application.		02548	DC	0.10	\$59.85
08/24/2023	Emails with M. Conlan re: Q2 fee application (0.2) prepare same for electronic filing (0.2); and file and serve same (0.1)		26048	NM3	0.50	\$103.50
09/11/2023	Review docket; draft follow up e-mail to N. Mitchell and E. Rosen re: Q2 2023 fee application.		02062	MC2	0.10	\$59.85
	Sub-Total For Task:				12.30	\$5,008.50
	B58					
	Fee Applications					
07/06/2023	E-mails to/from M. Conlan and John Curtis of Rocky Mountain Services re: entities brought to the Receiver's attention.		02548	DC	0.30	\$179.55
07/25/2023	Review SEC Counsel motion to withdraw.		02062	MC2	0.10	\$59.85
07/26/2023	Review court notices.		02548	DC	0.10	\$59.85
08/03/2023	E-mails to/from M. Conlan and counsel for Blue Isle account holder re: procedural issues.		02548	DC	0.20	\$119.70
09/19/2023	Conference call with D. Barney, SEC Counsel re: case status.		02062	MC2	0.70	\$418.95
09/20/2023	Review filings by various parties in receivership proceeding.		02548	DC	0.20	\$119.70
09/23/2023	Review court notices regarding case assignment and deadlines.		02950	CPA	0.20	\$119.70
09/26/2023	Review order from Magistrate Judge Varholak setting deadlines (0.1); e-mails with N. Mitchell, C. Anton and K. McEvilly re: same (0.1).		02062	MC2	0.20	\$119.70
09/26/2023	Calendar relevant dates according to Order Setting Deadline Filing Election Concerning Consent/Non Consent to Magistrate Jurisdiction Form and Setting Scheduling Conference.		26048	NM3	0.20	\$41.40
09/28/2023	E-mails with C. Anton re: appearance at status conference.		02062	MC2	0.10	\$59.85
	Sub-Total For Task:				2.30	\$1,298.25
	B53					
	Case Administration					
07/06/2023	Review e-mail from counsel for investor in Big Star Energy Services, seeking information on Mediatrix Capital PR (0.2); e-mail with J. Curtis, D. Crapo and M. Conforti re: same (0.2).		02062	MC2	0.40	\$239.40
07/06/2023	Due diligence on Big Star Energy Services LLC and Summitbridge National Investments (0.4); e-mails with Library re: same (0.2).		02062	MC2	0.60	\$359.10
08/03/2023	Attend to e-mails with D. Crapo re: investor's request to make account POD.		02062	MC2	0.10	\$59.85
08/29/2023	Email with web developer re: error message and replacement administrator (0.2); email with team re: same (0.1).		26059	ER	0.30	\$82.35
09/19/2023	Conference with M. Conlan concerning modification to order authorizing Receiver to purchase T-Bills.		02950	CPA	0.10	\$59.85
09/19/2023	Confer with C. Anton re: amending Order approving Investment Motion.		02062	MC2	0.20	\$119.70
09/22/2023	Update Mediatrix website with criminal case information, Fee Application and Order filings.		26048	NM3	0.30	\$62.10
09/25/2023	E-mails with C. Anton re: amending Investment Order liquidity requirement.		02062	MC2	0.10	\$59.85
09/25/2023	Telephone call with C. Anton re: amending Investment Order.		02062	MC2	0.10	\$59.85
09/27/2023	Draft/revise motion to modify investment order.		02950	CPA	2.50	\$1,496.25
09/27/2023	Attend to e-mails with T. Ashmore and D. Barney re: investors' data.		02062	MC2	0.10	\$59.85
09/28/2023	Draft/revise motion to modify investment order (1.4); review documents and pleadings for same (1.3).		02950	CPA	2.70	\$1,615.95
09/28/2023	Emails to/from M. Conlan regarding motion to modify investment order.		02950	CPA	0.10	\$59.85
09/28/2023	Review and revise motion to amend Investment Motion (0.4); telephone call and e-mails with C. Anton re: same (0.2).		02062	MC2	0.60	\$359.10
09/28/2023	Attend to e-mails with counsel for all parties re: motion to amend Investment Motion.		02062	MC2	0.20	\$119.70

Time Detail
Run Date: 10/19/2023

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

B52

Tran Date	Description Of Services	Task Code	Tkpr	Initials	Hours	Value
Sub-Total For Task:		B52	Business Operations		8.40	\$4,812.75
07/05/2023	Emails re: boat lift.		02518	DEB	0.30	\$179.55
07/05/2023	E-mails with J. Cunningham re: disposition of boat lift.		02062	MC2	0.20	\$119.70
Sub-Total For Task:		B51	Sale Motion/363 Sales		0.50	\$299.25
Total For Matter:		106202	Counsel to Mark Conlan in his capacity a		189.70	\$107,772.00
Totals For Client:					189.70	\$107,772.00

Gibbons P.C.

Time Summary
Run Date: 10/19/2023

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

Atty Code	Initials	Attorney Name	Position	Hours	Avg Rate	Value
02518	DEB	Barney, Dale E.	Director	3.50	\$598.50	\$2,094.75
02062	MC2	Conlan, Mark	Director	22.00	\$598.50	\$13,167.00
00168	PJU	Ulrich, Peter J.	Director	0.50	\$598.50	\$299.25
02950	CPA	Anton, Christopher P.	Counsel	136.10	\$598.50	\$81,455.85
02548	DC	Crapo, David	Counsel	8.50	\$598.50	\$5,087.25
30541	MAC	Conforti, Michael A.	Associate	3.10	\$409.50	\$1,269.45
26059	ER	Rosen, Ellen	Case Manager	12.10	\$274.50	\$3,321.45
15023	FS	Sammy, Fritz	Case Manager	2.90	\$300.00	\$870.00
26048	NM3	Mitchell, Neal	ParaLegal	1.00	\$207.00	\$207.00
Totals:				189.70		\$107,772.00

Gibbons P.C.

Fee Application
Run Date: 10/19/2023

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

Task/ Code	Description Of Services	Hours	Value
RE06	Litigation Consulting	0.20	\$119.70
RE05	Status Reports	8.80	\$3,552.30
B70	Tax Issues	0.60	\$359.10
B69	Relief from Stay Proceedings	0.90	\$538.65
B62	Litigation	155.70	\$91,783.50
B58	Fee Applications	12.30	\$5,008.50
B53	Case Administration	2.30	\$1,298.25
B52	Business Operations	8.40	\$4,812.75
B51	Sale Motion/363 Sales	0.50	\$299.25
Totals:		189.70	\$107,772.00

Gibbons P.C.Fee Application
Run Date: 10/19/2023

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

Task Code	Description Of Services	Hours	Value
RE06	<u>Litigation Consulting</u>		
	02062 Conlan, Mark	0.20	\$119.70
RE06	Litigation Consulting	0.20	\$119.70
RE05	<u>Status Reports</u>		
	02518 Barney, Dale E.	0.30	\$179.55
	30541 Conforti, Michael A.	0.50	\$204.75
	02062 Conlan, Mark	2.50	\$1,496.25
	02548 Crapo, David	0.50	\$299.25
	26059 Rosen, Ellen	5.00	\$1,372.50
RE05	Status Reports	8.80	\$3,552.30
B70	<u>Tax Issues</u>		
	02062 Conlan, Mark	0.10	\$59.85
	00168 Ulrich, Peter J.	0.50	\$299.25
B70	Tax Issues	0.60	\$359.10
B69	<u>Relief from Stay Proceedings</u>		
	02062 Conlan, Mark	0.90	\$538.65
B69	Relief from Stay Proceedings	0.90	\$538.65
B62	<u>Litigation</u>		
	02950 Anton, Christopher P.	130.50	\$78,104.25
	02518 Barney, Dale E.	2.90	\$1,735.65
	30541 Conforti, Michael A.	2.50	\$1,023.75
	02062 Conlan, Mark	11.60	\$6,942.60
	02548 Crapo, David	5.10	\$3,052.35
	26059 Rosen, Ellen	0.20	\$54.90
	15023 Sammy, Fritz	2.90	\$870.00
B62	Litigation	155.70	\$91,783.50
B58	<u>Fee Applications</u>		
	30541 Conforti, Michael A.	0.10	\$40.95
	02062 Conlan, Mark	3.00	\$1,795.50
	02548 Crapo, David	2.10	\$1,256.85
	26048 Mitchell, Neal	0.50	\$103.50
	26059 Rosen, Ellen	6.60	\$1,811.70
B58	Fee Applications	12.30	\$5,008.50
B53	<u>Case Administration</u>		
	02950 Anton, Christopher P.	0.20	\$119.70
	02062 Conlan, Mark	1.10	\$658.35
	02548 Crapo, David	0.80	\$478.80
	26048 Mitchell, Neal	0.20	\$41.40
B53	Case Administration	2.30	\$1,298.25
B52	<u>Business Operations</u>		
	02950 Anton, Christopher P.	5.40	\$3,231.90
	02062 Conlan, Mark	2.40	\$1,436.40
	26048 Mitchell, Neal	0.30	\$62.10
	26059 Rosen, Ellen	0.30	\$82.35
B52	Business Operations	8.40	\$4,812.75

Gibbons P.C.

Time Detail
Run Date: 10/19/2023

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

B51

B51	Sale Motion/363 Sales			
	02518	Barney, Dale E.	0.30	\$179.55
	02062	Conlan, Mark	0.20	\$119.70
B51	Sale Motion/363 Sales		0.50	\$299.25
Totals:			189.70	\$107,772.00

Gibbons P.C.

Disbursement Detail

Run Date: 10/19/2023

Client/Matter: 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
<u>Disbursement Type:</u> <u>Expedited Delivery Service (Federal Express)</u>		
08/15/2023	Expedited Delivery Service (Federal Express)	\$69.55
	Total: Expedited Delivery Service (Federal Express)	\$69.55
<u>Disbursement Type:</u> <u>Filing and Miscellaneous Fees</u>		
07/26/2023	Filing and Miscellaneous Fees	\$300.00
09/21/2023	Filing and Miscellaneous Fees	\$402.00
09/22/2023	Filing and Miscellaneous Fees	\$10.29
09/23/2023	Filing and Miscellaneous Fees	\$15.65
09/22/2023	Filing and Miscellaneous Fees	\$15.65
09/23/2023	Filing and Miscellaneous Fees	\$9.85
09/22/2023	Filing and Miscellaneous Fees	\$9.85
09/22/2023	Filing and Miscellaneous Fees	\$17.62
09/22/2023	Filing and Miscellaneous Fees	\$10.29
09/23/2023	Filing and Miscellaneous Fees	\$0.00
	Total: Filing and Miscellaneous Fees	\$791.20
<u>Disbursement Type:</u> <u>Service Fees</u>		
06/01/2023	Service Fees	\$6.45
	Total: Service Fees	\$6.45

Total Disbursements:	\$867.20
-----------------------------	-----------------

**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.

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

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 July 1, 2023 through September 30, 2023* [ECF No. 446] (the "Eighth Quarterly Fee Application"). The Court having reviewed and considered the Eighth Quarterly Fee Application, and all pleadings and evidence filed in support thereof, and there being no opposition to the Eighth Quarterly Fee Application, and good cause appearing therefore, IT IS

ORDERED that:

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

2. The following fees and costs incurred in the Eighth Expense Period¹, are hereby authorized to be paid from the assets in the receivership estate:

- a. The Receiver's fees in the amount of \$1,890.00; and
- b. The Receiver's counsel, Gibbons P.C.'s fees in the amount of \$107,772.00 and Gibbons' costs in the amount of \$867.20 for a total of \$108,639.20; and
- c. The Receiver's accountants, Rocky Mountain Advisory, LLC's, fees in the amount of \$3,197.50 and RMA's costs in the amount of \$4.92 for a total of \$3,202.42.

DATED this ____ day of _____, 2023.

BY THE COURT:

RAYMOND P. MOORE
United States District Judge

¹Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Eighth Quarterly Fee Application.