

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

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

UNITED STATES SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MEDIATRIX CAPITAL INC., *et al.*,

Defendants,

and

MEDIATRIX CAPITAL FUND LTD, *et al.*,

Relief Defendants.

**SUPPLEMENTAL DECLARATION OF DALE E. BARNEY IN SUPPORT OF
MOTION FOR ORDER APPROVING AND AUTHORIZING PAYMENT
OF RECEIVER’S AND PROFESSIONALS’ FEES AND COSTS FROM
JANUARY 1, 2026 THROUGH MARCH 31, 2026**

I, Dale E. Barney, of full age, hereby declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a Partner with the firm of Connell Foley LLP (“Connell Foley”) 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] (the “Substitute Appointment Order”). I have personal knowledge of the matters set forth in this declaration (the “Supplemental Declaration”) and if I were called upon to testify as to these matters, I could and would competently testify thereto.

2. This Supplemental Declaration is submitted in support of the *Motion for Order Approving and Authorizing Payment of Receiver's and Professionals' Fees and Costs from January 1, 2026 through March 31, 2026* [ECF No. 689] (the "Quarterly Fee Application").¹

3. Prior to filing the Quarterly Fee Application, and in accordance with D.C. Colo. LCivR 7.1(a), Connell Foley advised counsel for the United States Securities and Exchange Commission ("SEC") of the Quarterly Fee Application. Counsel for the SEC informed Connell Foley that their client had no objection to the Quarterly Fee Application.

4. On May 29, 2026, Connell Foley inadvertently filed and served the Quarterly Fee Application prior to advising other parties or their counsel of its intent to file the Quarterly Fee Application.

5. In order to satisfy our duty to confer pursuant to D.C. Colo. LCivR 7.1(a), on May 29, 2026, we advised the following parties or their counsel of the filing and asked that any objections be communicated to Connell Foley by close of business on Monday, June 1, 2026: 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 *pro se* defendant Michael S. Stewart and *pro se* relief defendant Victoria M. Stewart.

6. Connell Foley has been advised by counsel for the Sewalls, Mediatrix Capital Inc., Blue Isle Markets Inc., and Blue Isle Markets Ltd. that their clients have no objection to the Quarterly Fee Application. We have also been advised by counsel for the Youngs, Salve Regina Trust, West Beach LLC, TF Alliance LLC, Hase Haus LLC and Casa Conejo LLC that they have no objection to the Quarterly Fee Application. The Stewarts object.

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

7. At this time, Connell Foley believes that it satisfied its duty to confer and respectfully requests that this Court grant the Quarterly Fee Application.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 3, 2026
Roseland, New Jersey

By: /s/ Dale E. Barney
Dale E. Barney, Esq.