

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

COMMODITY FUTURES TRADING  
COMMISSION,

Case No. 8:19-CV-886-T-33SPF

Plaintiff,

v.

OASIS INTERNATIONAL GROUP,  
LIMITED; OASIS MANAGEMENT, LLC;  
SATELLITE HOLDINGS COMPANY;  
MICHAEL J. DACORTA; JOSEPH S.  
ANILE, II.; RAYMOND P. MONTIE III;  
FRANCISCO "FRANK" L. DURAN; and  
JOHN J. HAAS,

Defendants;

and

FUNDADMINISTRATION, INC.;  
BOWLING GREEN CAPITAL  
MANAGEMENT LLC; LAGOON  
INVESTMENTS, INC.; ROAR OF THE  
LION FITNESS, LLC; 444 GULF OF  
MEXICO DRIVE, LLC; 4064 FOUNDERS  
CLUB DRIVE, LLC; 6922 LACANTERA  
CIRCLE, LLC; 13318 LOST KEY PLACE,  
LLC; and 4 OAKS LLC,

Relief Defendants.

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**THE RECEIVER'S TENTH INTERIM REPORT**

Information and Activity from July 1, 2021 through September 30, 2021.

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## INTRODUCTION

Burton W. Wiand, the Court-appointed receiver over the assets of the above-captioned defendants and relief defendants (the “**Receiver**” and the “**Receivership**” or “**Receivership Estate**”), files this Tenth Interim Report to inform the Court, investors, creditors, and others interested in this Receivership of activities to date as well as the Receiver’s proposed course of action. The Receiver has established a website, [www.oasisreceivership.com](http://www.oasisreceivership.com), which he has updated periodically. The Receiver will continue to update the website regarding the Receiver’s most significant actions, important Court filings, and other items that might be of interest to the public. This Tenth Interim Report, as well as all other reports, will be posted on the website.<sup>1</sup>

### Overview of Significant Activities During this Reporting Period

During the time covered by this Tenth Interim Report, the Receiver and his professionals engaged in the following significant activities:

- Finalized a “**Claims Determination Motion**” seeking an order: (1) approving the Receivers determination and prioritization of **791 claims** alleging losses of more than **\$70 million**; (2) pooling all assets and liabilities of the Receivership Entities into a consolidated Receivership Estate; (3) approving a plan of distribution; and (4) establishing a procedure to compromise or litigate objections to the foregoing (*see infra* § VI);
- Recovered **\$55,960.78** from Belize in connection with the liquidation of Choice Bank Limited;

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<sup>1</sup> As directed by the Court, the Receiver will submit his next interim report and subsequent reports within thirty days after the end of each calendar quarter. Where possible, the Receiver has also included information about events occurring between June 30, 2021 (the end of the reporting period) and the date of this filing.

- Confirmed the repatriation by the Department of Justice of approximately **\$2 million** from the United Kingdom;
- Collected **\$7,806.90** in interest income on seized funds;
- Obtained Court approval of seven clawback settlements with five defendants in the total amount of **\$315,006.31**;
- Collected litigation income of **\$159,493.72**, through clawback settlements and the enforcement of default judgments;
- Continued to prosecute a lawsuit against ATC Brokers Ltd., David Manoukian, and Spotex, LLC, seeking compensatory and punitive damages and alleging claims for aiding and abetting fraud, aiding and abetting breaches of fiduciary duties, recovery of fraudulent transfers against ATC, gross negligence, and simple negligence (*see infra* § V.2.d.); and
- Continued efforts to repatriate **\$500,000** from Belize in cooperation with local counsel.

### **Overview of Activities Since the Beginning of this Receivership**

Since the beginning of this Receivership, the Receiver and his professionals have engaged in the following significant activities:

- Served subpoenas or the order appointing the Receiver and freezing the assets of the defendants and relief defendants on approximately **100 individuals and entities** who could have assets or records belonging to the Receivership Estate;
- Seized more than **\$8.66 million** from frozen bank accounts at numerous financial institutions;
- Generated **\$52,723.13** in business income, primarily from mortgages and rentals;
- Liquidated an additional approximately **\$7,877,523.41** (net) in assets, mostly subject to agreements with the Department of Justice and the United States Marshals Service;
- Collected **\$170,708.04** in interest and/or dividend income;

- Collected total litigation income of **\$4,389,214.65** through clawback and other third-party settlements;
- Retained legal counsel (domestic and foreign), forensic accountants, tax accountants, a technology services firm, and an asset manager to assist the Receiver and obtained Court approval of those engagements;
- Completed forensic reconstructions of at least 25 bank accounts, including more than 26,000 individual transactions;
- Interviewed dozens of individuals, including certain defendants, employees, sales agents, investors, legal counsel, and accountants;
- Established a website for investors and other interested parties;
- Collected hundreds of thousands of pages of documents from dozens of nonparties, including employees, banks, credit card companies, accountants, and lawyers; and
- Fielded hundreds of calls from investors and/or their counsel.

Finally, although the Receiver and his professionals are not responsible for criminal prosecutions, on November 18, 2020, defendant Joseph S. Anile, II was sentenced to imprisonment of **120 months** (*i.e.*, 10 years) and supervised release of three years. He was also ordered to pay restitution of **\$53,270,336.08**. The sentence was based on his plea of guilty to multiple felony counts underlying this Ponzi scheme. The above activities are discussed in more detail in the pertinent sections of this Tenth Interim Report and in the Receiver's previous interim reports.

## **BACKGROUND**

### **I. Procedure and Chronology**

On April 15, 2019, the Commodity Futures Trading Commission (“**CFTC**”) filed a complaint (Doc. 1) against (1) defendants Oasis International Group,

Limited (“**OIG**”); Oasis Management, LLC (“**Oasis Management**”); Michael J. DaCorta (“**DaCorta**”); Joseph S. Anile, II (“**Anile**”); Francisco “Frank” L. Duran (“**Duran**”); Satellite Holdings Company (“**Satellite Holdings**”); John J. Haas (“**Haas**”); and Raymond P. Montie, III (“**Montie**”) (collectively, the “**defendants**”) and (2) relief defendants Fundadministration, Inc. (“**FAI**”); Bowling Green Capital Management, LLC (“**Bowling Green**”); Lagoon Investments, Inc. (“**Lagoon**”); Roar of the Lion Fitness, LLC (“**Roar of the Lion**”); 444 Gulf of Mexico Drive, LLC (“**444 Gulf of Mexico**”); 4064 Founders Club Drive, LLC (“**4064 Founders Club**”); 6922 Lacantera Circle, LLC (“**6922 Lacantera**”); 13318 Lost Key Place, LLC (“**13318 Lost Key**”); and 4Oaks LLC (“**4Oaks**”) (collectively, the “**relief defendants**”). The foregoing defendants and relief defendants are referred to as the “**Receivership Entities.**”

The complaint charges the defendants with violations of the Commodity Exchange Act and CFTC regulations and seeks to enjoin their violations of these laws regarding a fraudulent foreign currency (“**forex**”) trading scheme. The CFTC alleges that between mid-April 2014 and April 2019, the defendants fraudulently solicited over 700 U.S. residents to invest in two forex commodity pools – Oasis Global FX, Limited and Oasis Global FX, S.A. (collectively, the “**Oasis Pools**”). The CFTC also asserts that the defendants raised approximately \$75 million from these investors and misappropriated over \$28 million of the pool funds to make payments to other pool participants and over \$18 million for

unauthorized personal and business expenses, including the transfer of at least \$7 million to the relief defendants.<sup>2</sup>

On the same day the CFTC filed its complaint, April 15, 2019, the Court entered an order appointing Burton W. Wiand as temporary Receiver for the Receivership Entities (Doc. 7) (the “**SRO**”). The Court directed him, in relevant part, to “[t]ake exclusive custody, control, and possession of the Receivership Estate,” which includes “all the funds, properties, premises, accounts, income, now or hereafter due or owing to the Receivership Defendants, and other assets directly or indirectly owned, beneficially or otherwise, by the Receivership Defendants.” *See id.* at p. 14, ¶ 32 & p. 15, ¶ 30.b. The SRO also imposed a temporary injunction against the defendants and relief defendants and froze their assets. *Id.* at 19.

Subsequently, all defendants and relief defendants either defaulted or consented to the entry of a preliminary injunction against them (with some differences unique to the circumstances of each party). *See* Docs. 35, 43, 44, 82, 85, 172, 174-77. On July 11, 2019, the Court entered a Consolidated Receivership Order, which is now the operative document governing the Receiver’s activities. Doc. 177 (the “**Consolidated Order**”).<sup>3</sup> Pursuant to the Consolidated Order and

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<sup>2</sup> On June 12, 2019, the CFTC filed an amended complaint (Doc. 110), which contains additional allegations about certain defendants and relief defendants.

<sup>3</sup> On April 23, 2021, the Court reappointed the Receiver for purposes of 28 U.S.C. § 754, but the order of reappointment attaches and incorporates the Consolidated Order by reference. *See* Doc. 390. As such, the provisions of the Consolidated Order continue to govern the Receiver’s mandate upon reappointment. *Id.*



its predecessors (*see* Docs. 7, 44), the Receiver has the duty and authority to (1) administer and manage the business affairs, funds, assets, and any other property of the Receivership Entities; (2) marshal and safeguard the assets of the Receivership Entities; and (3) investigate and institute legal proceedings for the benefit of the Receivership Entities and their investors and other creditors as the Receiver deems necessary.

On June 26, 2019, the Department of Justice, through the United States Attorney's Office for the Middle District of Florida (the "**DOJ**"), moved to stay this litigation to protect an ongoing criminal investigation. Doc. 149. The Court granted the DOJ's motion on July 12, 2019, but exempted the Receiver's activities from the stay. Doc. 179. The Court also required the DOJ to provide periodic status reports during the stay. *Id.*

On August 8, 2019, defendant Anile pled guilty to three counts involving the scheme – (1) conspiracy to commit wire and mail fraud; (2) engaging in an illegal monetary transaction; and (3) filing a false income tax return. *See United States of America v. Joseph S. Anile, II*, Case No. 8:19-cr-334-T-35CPT (M.D. Fla.) (the "**Anile Criminal Action**" or "**ACA**"). A copy of Anile's plea agreement was attached as Exhibit A to the Receiver's Second Interim Report. Doc. 195. On November 18, 2020, Anile was sentenced to imprisonment of 120 months and supervised release of three years. ACA Doc. 56. He was also ordered to pay restitution of \$53,270,336.08. *Id.*

On December 17, 2019, a federal grand jury returned a two-count indictment against defendant DaCorta, alleging conspiracy to commit wire and mail fraud as well as engaging in an illegal monetary transaction. *See United States of America v. Michael J. DaCorta*, Case No. 8:19-cr-605-T-02CPT (M.D. Fla.) (the “**DaCorta Criminal Action**” or “**DCA**”). A copy of the indictment was attached as Exhibit A to the Receiver’s Third Interim Report. According to the grand jury, as early as November 2011, DaCorta entered into a conspiracy to defraud investors by making numerous fraudulent representations. *See DCA Doc. 1 ¶ 14b.-d.*

It was a further part of the conspiracy that conspirators would and did use funds “loaned” by victim-investors to: (i) conduct trades, via an offshore broker, in the FOREX market, which trades resulted in catastrophic losses; (ii) make Ponzi-style payments to victim-investors; (iii) pay expenses associated with perpetuating the scheme; and (iv) purchase million-dollar residential properties, high-end vehicles, gold, silver, and other liquid assets, to fund a lavish lifestyle for conspirators, their family members and friends, and otherwise for their personal enrichment.

*Id.* at ¶ 14k.

On February 17, 2021, the DOJ filed a superseding indictment against DaCorta, adding a third count for making a “false and fraudulent statement” on an income tax return. A copy of the superseding indictment is attached to the Receiver’s Eighth Interim Report as Exhibit D. DaCorta’s jury trial is scheduled for the trial term commencing April 2022 before Judge William F. Jung. *DCA Doc. 96.*

On July 26, 2021, the DOJ moved the Court to extend the stay in this enforcement action for an additional six months to protect its ongoing

investigation. Doc. 417. The Court granted the motion and extended the stay until January 24, 2022. Doc. 418. The extension of the stay does not impact the Receiver, who is continuing to marshal assets, develop a claims process, and plan litigation, consistent with his Court-ordered mandate.

## **II. Overview of Preliminary Findings**

The Consolidated Order authorizes, empowers, and directs the Receiver to “investigate the manner in which the financial and business affairs of the Receivership Defendants were conducted....” Doc. 177 ¶ 44. Pursuant to that mandate, the Receiver is in the process of obtaining and reviewing records from Receivership Entities and third parties. The Receiver has formed some preliminary conclusions based on his review of a portion of the records received and interviews with employees, lawyers, accountants, and others. While these conclusions are not final and might change as the Receiver’s investigation progresses, the Receiver believes they should be shared with the Court, the investors, and other potentially interested parties.

There is abundant evidence that the defendants were operating a fraudulent investment scheme. The scheme began with the sale of preferred shares in OIG, which is registered in the Cayman Islands. The shares promised a 12% dividend that was to be derived from trading by a related company: first, Oasis Global FX, Limited and then Oasis Global FX, S.A. – *i.e.*, the Oasis Pools. These companies were registered in New Zealand and Belize, respectively, and were purportedly introducing brokers that would trade currencies or currency-

related contracts. The 12% return was to be derived from trading profits and transaction income earned by the brokers. The preferred shares were sold to investors through a private placement memorandum that contained significant false representations and omitted numerous material facts, including that DaCorta, the “Chief Investment Officer,” was prohibited from currency trading through a prior regulatory action in the United States. As the scheme grew, other companies – Oasis Management and Satellite Holdings – were used to gather investments and funnel them into the scheme. Preferred shareholders became purported “lenders” who were told they were lending money to certain defendants. Investors were regularly sent statements showing an account with a principal amount and accrued and accruing earnings. All of this was false, as confirmed by defendant Anile’s guilty plea.

As the scheme matured, the perpetrators created a website that investors could access to view their purported accounts. Investors’ account pages showed that they were credited with a 1% “interest” payment each month and, on a daily basis, a portion of purported trading income earned by the scheme’s trading entity.<sup>4</sup> The scheme was successful and proliferated because of the continued

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<sup>4</sup> Specifically, many investors were told by those perpetrating the scheme that the investors would receive a portion of the “spread pay” that Oasis Global FX, S.A. earned from its purported role as a broker of forex transactions for OIG. The spread pay, however, was nothing more than a markup on all transactions and served to increase the losses in the OIG account. No spread pay (or any portion thereof) was ever distributed to an investor. Rather, it was a ruse used to deceive investors into believing that they were receiving enhanced returns when, in fact, fictitious amounts were being credited to their fraudulent accounts. In truth, Oasis Global FX, S.A. and its traders conducted continually and routinely unprofitable trades and lost almost all  
(footnote cont’d)

deception of the investors with respect to their purported accounts. They were led to believe that they held valuable loan accounts that continually earned money when, in fact, the scheme appears to have been insolvent since its inception. As an example, when the CFTC stopped the scheme in April 2019, the fraudulent website showed investors that they were owed an aggregate of over \$120 million. In truth, OIG only had assets of approximately \$10 million and was losing money continually.

The Receiver's preliminary analysis indicates that a total of approximately \$80 million was raised from investors.<sup>5</sup> An analysis from the beginning of 2017 indicates that approximately \$20 million was deposited for trading, which resulted in substantial losses. The remainder of the money raised from investors was used to make Ponzi payments to other investors, to pay expenses to perpetuate the scheme, and to enrich the defendants. Through the claims process discussed below in Section VI, investors and other creditors have submitted hundreds of claims totaling approximately \$70 million.

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the investors' money. The fabrication of returns based on purported spread pay was an integral part of the system through which the perpetrators lured investors into the scheme.

<sup>5</sup> To the extent these numbers differ from those alleged by the CFTC, the Receiver understands that the CFTC only considered transactions within the pertinent statute of limitations while the Receiver is reviewing all available transactions.

### **ACTIONS TAKEN BY THE RECEIVER**

During this reporting period, the Receiver has taken steps to fulfill his mandates under the Consolidated Order and its predecessors. Doc. 177 ¶ 56.A.

#### **III. Securing The Receivership Estate**

Attached as **Exhibit A** to this Tenth Interim Report is a cash accounting report showing (1) the amount of money on hand from July 1, 2021, less operating expenses plus revenue, through September 30, 2021, and (2) the same information from the beginning of the Receivership (as opposed to the current reporting period). *See* Doc. 177 ¶ 56.B. & C. This cash accounting report does not reflect non-cash or cash-equivalent assets. Thus, the value of uncollected or unsold property discussed below is not included in the accounting report. From July 1, 2021, through September 30, 2021, the Receiver collected income of \$172,643.82.<sup>6</sup>

##### **A. Cooperation with the Department of Justice, Federal Bureau of Investigation, and U.S. Marshals Service**

As discussed more fully in the Receiver's First Interim Report (Doc. 113), on April 17, 2019, the DOJ, through the United States Attorney's Office for the Middle District of Florida, filed a civil forfeiture action against almost all the properties identified below in § III.C. *See United States of America v. 13318 Lost*

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<sup>6</sup> As explained in footnote 1, to the extent possible, the Receiver has included in this Tenth Interim Report transactions and events occurring after September 30, 2021, to give the Court and others the most current overview of the Receiver's activities. Money collected after that date, however, is not reflected in Exhibit A. Those collections will be included in the Receiver's next interim report.

*Key Place, Lakewood Ranch, Florida et al.*, Case No. 8:19-cv-00908 (M.D. Fla.) (the “**Forfeiture Action**” or “**FA**”) (FA Doc. 1 ¶ 1). In addition, the Federal Bureau of Investigation (“**FBI**”) instituted administrative forfeiture proceedings against, at minimum, the vehicles described in § III.D.1 and the cash, gold, and silver described in § III.D.2. The Receiver, the DOJ, and the United States Marshals Service (“**USMS**”) reached agreements governing the forfeiture and sale of this property as well as the transfer and remission of the sale proceeds. *See* Doc. 105, Ex. A (Consent Forfeiture Agreement); Ex. B (Memorandum of Understanding or “**MOU**”); Ex. C (Liquidation Plan). On June 7, 2019, the Receiver moved the Court to approve these agreements (Doc. 105), and the Court granted the Receiver’s motion on June 13, 2019 (Doc. 112). According to the MOU, “[t]he Receiver has sole discretion to decide the logistics of the sale of the Forfeited Receivership Assets, on the terms and in the manner the Receiver deems most beneficial to the Receivership Estate and with due regard to the realization of the true and proper value of such property.” Doc. 105, Ex. B. The MOU also recognizes that “[a]ll sales of Receivership Assets, including Forfeited Receivership Assets, must comply with the provisions set forth in the Receivership Orders.” *Id.* After the Receiver sells a property subject to forfeiture, the Receiver will transfer the net proceeds to the USMS for deposit in the Department of Justice Asset Forfeiture Fund. *Id.* The Receiver will subsequently file one or more petitions for remission with the DOJ, and the sale proceeds will

be returned for distribution to defrauded investors through a claims process supervised by this Court. *See infra* § VI.

The Forfeiture Action and the FBI's administrative forfeiture proceedings are complete, and the Receiver has sold all material assets. On October 9, 2020, the Receiver transferred \$3,295,119.94 to the USMS pursuant to the MOU. On May 25, 2021, the Receiver transferred an additional \$2,341,505.18 to the USMS pursuant to the MOU. These amounts are listed on Line 12 of Exhibit A (from inception). The funds will be remitted to the Receiver in connection with the claims process and his distribution plan. The transfer and remission are intended to comply with certain forfeiture regulations and will not affect the total amount of money available for distribution to claimants. It is anticipated that approximately \$2,000,000 recovered by British authorities will also be remitted to the Receiver for distribution after collection by the Department of Justice.

#### **B. Freezing Bank Accounts and Liquid Assets**

As explained in the First Interim Report, the Receiver identified and/or froze approximately \$11 million at various financial institutions in the United States, the United Kingdom, and Belize. The Receiver opened a money market account for the Receivership at ServisFirst Bank (the “**Receivership Account**”).<sup>7</sup> The Receiver has now deposited more than \$8.6 million of the

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<sup>7</sup> The Receiver also opened a checking/operating account for making disbursements.



frozen funds into this account.<sup>8</sup> The remaining amount is almost entirely comprised of the money held (currently or formerly) in Belize and the United Kingdom, as discussed below. The Receiver will attempt to obtain as much of that money as possible and to identify any other accounts containing assets belonging to the Receivership Estate. A list of bank or other financial accounts organized by defendant, relief defendant, and/or affiliated entity is attached as **Exhibit B**.

**1. The ATC Account in the United Kingdom**

On April 18, 2019, the Receiver served London-based ATC Brokers LTD (“**ATC**”) with a copy of the SRO and requested that ATC freeze all accounts associated with the defendants and relief defendants. In cooperation with domestic law enforcement and the United Kingdom’s National Crime Agency, ATC identified and froze one account in the name of Oasis Global FX, S.A., which contained \$2,005,368.28. During October 2021, the DOJ recovered those funds pursuant to certain international agreements, and the agency now has custody of the repatriated money. The Receiver intends to petition the government for remission of those and other funds as soon as possible. The money will then be distributed to victim-investors through the claims process established by the Court and the Receiver.

The Receiver understands that certain individuals have been representing to investors that there is more than \$100,000,000 in unrecovered funds in the

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<sup>8</sup> Carolyn DaCorta – defendant DaCorta’s wife – paid \$32,100 for a membership in the Long Boat Key Club one week before the Receiver was appointed. The Receiver obtained a \$30,000 refund without the need for litigation, which is included in the above calculation.

United Kingdom. Those representations are based on, at best, a misunderstanding of the fraudulent documents created to perpetuate the scheme, or at worst, complete fabrications. Neither (1) the DOJ and the FBI; (2) the CFTC and its forensic accountants; (3) the Receiver and his forensic accountants; nor (4) the United Kingdom's National Crime Agency have identified any such funds or accounts. Nevertheless, the Receiver believes ATC's role in the scheme is much deeper and more significant than previously indicated, and the Receiver is pursuing litigation against that company and its affiliates, as further explained below in Section V.3.b.

## **2. Financial Assets in Belize**

Shortly after his appointment, the Receiver learned that Oasis Global FX Limited owned an account (x4622) at Choice Bank Limited ("**Choice Bank**") in Belize. On June 29, 2018, however, regulators in Belize revoked Choice Bank's license and appointed a liquidator. During October 2021, the Receiver recovered a total of \$55,960.78 from the liquidator. Those funds are now within the Receivership Estate, but they are not yet included in Exhibit A.

The Receiver also learned that Oasis Global FX, S.A. has an account at Heritage Bank Limited ("**Heritage Bank**") in Belize containing \$500,000. The money served as a bond that allowed Oasis Global FX, S.A. to operate as a broker-dealer in Belize. On May 7, 2019, the Belize International Financial Services Commission suspended the entity's trading licenses. On October 22, 2019, the Receiver and defendant Anile executed corporate documents to take

legal control of Oasis Global FX, S.A. (in addition to the powers conferred by the Consolidated Order). The Receiver's local counsel has advised that recovery of the funds could require the appointment of a liquidator for Oasis Global FX, S.A. The Receiver is continuing to work with local counsel to resolve this matter.

### **C. Securing Real Property**

The Receivership Estate contained numerous parcels of real property, including single-family homes, condominiums, and a waterfront office building.<sup>9</sup> In the Consolidated Order and its predecessors, the Court directed the Receiver to “[t]ake all steps necessary to secure the business and other premises under the control of the Receivership Defendants” (Doc. 7 at 15-16) and to “take immediate possession of all real property of the Receivership Defendants, wherever located, including but not limited to all ownership and leasehold interests and fixtures” (Doc. 44 ¶ 19; Doc. 177 ¶ 19).

#### **1. All Receivership Real Estate Has Been Sold**

The Receiver has sold all real property in the Receivership Estate. The transactions are explained in prior interim reports and summarized in the following chart. The “Net Recovery” column represents the amounts transferred to the Receivership Estate at closing after satisfying any claims against the properties and paying closing costs and commissions.

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<sup>9</sup> In addition to the properties discussed below, relief defendant 444 Gulf of Mexico Drive, LLC holds an \$80,000 mortgage on the property located at 1605 55th Avenue West, Bradenton, Florida 34207. The mortgage matures on December 1, 2021 and pays the Receivership Estate \$200 per month.

<b>PROPERTY</b>	<b>SALE PRICE</b>	<b>NET RECOVERY</b>
444 Gulf of Mexico Drive Longboat Key, Florida	\$2,100,000	\$1,994,155.06
13318 Lost Key Place Lakewood Ranch, Florida	\$1,100,000	\$1,038,704.75
6922 Lacantera Circle Lakewood Ranch, Florida	\$2,050,000	\$372,823.83
4064 Founders Club Drive Sarasota, Florida	\$1,875,000	\$581,712.41
4058 Founders Club Drive Sarasota, Florida	\$195,000	\$186,252.37
7312 Desert Ridge Glen Lakewood Ranch, Florida	\$846,000	\$774,740.08
16804 Vardon Terrace #307 Lakewood Ranch, Florida	\$198,000	\$187,542.50
16804 Vardon Terrace #108 Lakewood Ranch, Florida	\$212,000.	\$204,312.38
16904 Vardon Terrace #106 Lakewood Ranch, Florida	\$184,000	\$177,104.89
17006 Vardon Terrace #105 Lakewood Ranch, Florida	\$198,000	\$187,813.91
6300 Midnight Pass Rd., No. 1002, Sarasota, Florida	\$913,000	\$863,654.69

## **2. Defendant Montie's Real Property**

Defendant Montie owned real estate in Hauppauge, New York. He expressed a desire to sell the property and identified a potential purchaser. The Receiver commissioned an independent appraisal and confirmed that the proposed sale price of \$505,000 reflected market value. Montie conferred with

the CFTC and the Receiver, and the parties agreed to the sale. On December 22, 2020, the Court granted Montie's unopposed motion to permit the sale. Doc. 342. The transaction closed on April 23, 2021. After satisfaction of a mortgage and payment of closing costs, the net proceeds of the sale were \$278,274.46. Those funds are being held in escrow pending the resolution of the CFTC's and/or the Receiver's claims against Montie.

Montie also owns property in Jackson, New Hampshire, which he valued at \$1,412,800, based on "local property assessor figures." As of June 15, 2019, the property carried a mortgage of \$845,747. Finally, Montie owns property in Lake Ariel, Pennsylvania, which he valued at \$926,700, based on "local property assessor figures." As of August 1, 2019, the property carried a mortgage of \$658,254. As such, Montie's currently unsold properties carried positive net equity of approximately \$835,499 in 2019. The Receiver is in the process of obtaining updated valuations and mortgage balances. "Montie is responsible for making mortgage, property tax, and insurance payments and for the general upkeep of these residences." Doc. 177 ¶ 20. The Receiver reserves the right to pursue these properties and any other disclosed (or undisclosed) assets when the circumstances warrant.

### **3. Defendant Haas's Real Property**

Defendant Haas owns a property in New York, which he estimated to be worth approximately \$502,000. As of August 2021, it had a mortgage in the amount of \$97,000. As such, Haas's property carries positive net equity of

approximately \$405,000 but might need certain repairs before any liquidation. “Haas is responsible for making mortgage, property tax, and insurance payments and for the general upkeep of this residence.” Doc. 177 ¶ 21. The Receiver reserves the right to pursue this property and any other disclosed (or undisclosed) assets when the circumstances warrant.

#### **D. Securing Personal Property**

##### **1. Vehicles**

On April 18, 2019, FBI agents executed search warrants and seized, among other things, luxury automobiles purchased by certain defendants and relief defendants. The FBI then instituted administrative forfeiture proceedings against the vehicles. On October 11, 2019, the Receiver filed a motion seeking the Court’s approval of his plan to auction the vehicles pursuant to the MOU. Doc. 192. The Court granted the motion on October 29, 2019. Doc 194. Orlando Auto Auction sold the vehicles that were not underwater, which resulted in a recovery of approximately \$307,714. The Receiver obtained the sale proceeds in January 2020. The Receiver has now sold all forfeited vehicles and collected all related funds.<sup>10</sup> For more information, please see the Receiver’s prior reports.

##### **2. Cash and Precious Metals**

Law enforcement agents also seized cash, gold, and silver from certain defendants or their residences. On November 4, 2019, the Receiver moved the

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<sup>10</sup> During a previous reporting period, the Receiver and defendant Montie coordinated to sell his 1996 Mercedes 500SL for \$10,500. Those funds are being held in escrow along with the proceeds from the sale of his New York property.

Court to approve a procedure for the sale of the metals, and the Court granted the motion on November 7, 2019. *See* Docs. 197, 200. After obtaining several bids from companies that deal in precious metals, the Receiver sold the gold and silver to International Diamond Center for \$657,382.25. *See* Doc. 205. The Receiver has now sold all forfeited metals and collected all related funds.<sup>11</sup> For more information, please see the Receiver's prior interim reports.

### **3. Other Personal Property**

When the Receiver and his representatives visited certain defendants' residences on April 18, 2019, they observed and photographed potentially valuable items, including art, antiques, collectibles, sports memorabilia, and jewelry. The defendants have been instructed that all such personal property is subject to the asset freeze, and they are not to sell, transfer, or otherwise dispose of anything without the Receiver's authorization. To date, the Receiver has identified and/or seized the property listed in **Exhibit C**.<sup>12</sup> He has sold most items as set forth in the exhibit. The Receiver is working with the defendants and their counsel to identify additional property that rightfully belongs to the Receivership Estate.

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<sup>11</sup> This does not include certain assets in the possession of defendants Haas and Montie, as disclosed in their financial affidavits.

<sup>12</sup> Importantly, the values identified in Exhibit C were and are only estimates. Actual recoveries have been and will be subject to market conditions and other factors.

**E. Securing the Receivership Entities' Books and Records**

As explained in prior interim reports, the Receiver and his professionals have taken substantial steps to secure the Receivership Entities' books and records, including computer systems, emails, and other documents. The Receiver has also obtained documents from numerous nonparties under the Consolidated Order or through subpoenas. During this reporting period, the Receiver has obtained documents directly from investors in connection with his demand letters, clawback litigation, and/or the claims process. The Receiver continues to encourage investors who dispute the Receiver's calculations of gains or losses related to the scheme to provide documents substantiating the dispute. This will ultimately conserve resources and avoid unnecessary litigation.

**F. Operating or Related Businesses**

In prior interim reports, the Receiver has provided information about three businesses: (1) relief defendant Roar of the Lion; (2) Mirror Innovations, LLC; and (3) Diamond Boa LLC d/b/a Kevin Johnson Reptiles. While some issues still require resolution, the Receiver does not believe any of these businesses have material value to the Receivership Estate.

**IV. Retention of Professionals**

The Consolidated Order authorizes the Receiver "[t]o engage and employ persons in his discretion to assist him in carrying out his duties and responsibilities hereunder, including, but not limited to, accountants, attorneys, securities traders, registered representatives, financial or business advisors,



liquidating agents, real estate agents, forensic experts, brokers, traders or auctioneers.” Doc. 177 at ¶ 8.F.

On May 30, 2019, the Receiver moved the Court to approve his engagement of the following legal, accounting, and other professionals: (1) Wiand Guerra King P.A. n/k/a Guerra King P.A. (“**WGK**” or “**GK**”), a law firm; (2) KapilaMukamal, LLP (“**KM**”), a forensic accounting firm; (3) PDR CPAs (“**PDR**”), a tax accounting firm; (4) RWJ Group, LLC (“**RWJ**”), an asset management and investigations firm; and (5) E-Hounds, Inc. (“**E-Hounds**”), a technology and computer forensics firm. *See* Doc. 87. On June 6, 2019, the Court granted the Receiver’s motion for approval to retain these professionals. Doc. 98. The Receiver has also retained special counsel to assist with the repatriation of foreign assets: Glenn D. Godfrey & Company LLP in Belize (Doc. 138) and Maples Group in the Cayman Islands (Doc. 187).

On March 5, 2020, the Receiver filed a motion seeking to retain Sallah Astarita & Cox, LLC (the “**Sallah Firm**”) on a contingency fee basis to investigate and pursue claims against FAI. Doc. 238. Similarly, on March 20, 2020, the Receiver moved the Court to approve his retention of Sergio C. Godinho as a litigation consultant to assist the Receiver’s and the Sallah Firm’s investigation and prosecution of those claims. Doc. 253. FAI opposed both motions, and after related briefing, on April 7, 2020, the Court granted the Receiver’s motions, thereby approving his engagement of the Sallah Firm and

Mr. Godinho. Doc. 261. As explained in Section V.1.a. below, the Receiver has since resolved his claims against FAI.

On March 24, 2020, the Receiver moved the Court to approve the engagement of John Waechter and Englander Fischer to assist the Receiver and his primary counsel with clawback litigation. Doc. 285. The Court granted the Receiver's motion on April 13, 2010. Doc. 264. As explained in Section V.2.b. below, the Receiver was pursuing litigation against numerous defendants, but that litigation is now substantially complete, and the Receiver has begun collecting the judgments obtained.

On March 31, 2021, the Receiver filed a second motion seeking to retain the Sallah Firm on a contingency fee basis to investigate and pursue claims against ATC Brokers Ltd. and its affiliates and principals. Doc. 385. On April 23, 2021, the Court granted the Receiver's motion, thereby approving his second engagement of the Sallah Firm. Doc. 390. On July 13, 2021, the Court also granted the Receiver's motion to approve the engagement of Thomas Bakas as a litigation consultant to the Receiver and the Sallah Firm. *See* Docs. 412, 415.

## **V. Pending and Contemplated Litigation**

The Consolidated Order requires this Tenth Interim Report to contain “a description of liquidated and unliquidated claims held by the Receivership Estate, including the need for forensic and/or investigatory resources; approximate valuations of claims; and anticipated or proposed methods of enforcing such claims (including likelihood of success in (i) reducing the claims

to judgment and (ii) collecting such judgments.)” Doc. 177 ¶ 56.E. The following subsections address both asserted and unasserted claims held by the Receivership Estate and certain related litigation.

**1. Completed and Related Litigation**

**a. Fundadministration, Inc.**

As explained above in Section IV, the Court authorized the Receiver to retain the Sallah Firm to investigate and pursue claims against FAI on a contingency fee basis. The Receiver and FAI mediated their dispute on October 13, 2020, and subsequently reached an agreement regarding the Receiver’s claims. On February 8, 2021, the Receiver moved the Court to approve the parties’ agreement (Doc. 368), and on February 25, 2021, the Court granted the Receiver’s motion (Doc. 376). On or about March 1, 2021, FAI transferred net settlement proceeds of \$3,555,000.00 to the Receiver. FAI also reached an agreement with the CFTC, which provided for its dismissal as a relief defendant from the agency’s enforcement action. *See* Docs. 364, 366. As such, FAI is no longer a party to any litigation involving the Receiver or the CFTC.

**b. The Government’s Civil Forfeiture Action**

The Forfeiture Action is essentially complete because judgments of forfeiture have been entered against all defendant properties. *See* FA Docs. 60, 63, 65, 67. The Receiver understands that the FBI’s administrative forfeiture proceeding against certain personal property is also complete. As of the Ninth

Interim Report, the Receiver had sold all material, forfeited real and personal property in the Receivership Estate.

**c. The Anile Criminal Action**

As noted above, defendant Anile pled guilty to several felony charges regarding the scheme, and the court in the Anile Criminal Action accepted his guilty plea on October 15, 2019. ACA Docs. 19, 27. He was sentenced to imprisonment of 120 months (*i.e.*, 10 years) and supervised release of three years. He was also ordered to pay restitution of \$53,270,336.08. The DOJ has repatriated approximately \$2 million from the United Kingdom (*see supra* § III.B.1.), and the Receiver believes the Anile Criminal Action is complete.

**2. Pending and Related Litigation**

The Receiver is not aware of any litigation against Receivership Entities that was pending at his appointment, and the Consolidated Order enjoins the filing of any litigation against Receivership Entities without leave of Court.

**a. The DaCorta Criminal Action**

As also noted above, defendant DaCorta has been indicted in a separate but related action. DCA Doc. 1. A copy of the initial indictment was attached as Exhibit A to the Receiver's Third Interim Report, and a copy of the superseding indictment was attached as Exhibit D to the Receiver's Eighth Interim Report. DaCorta's trial term was recently extended from February 2022 to April 2022.

**b. The Receiver's General Clawback Litigation**

The Court found that entry of the Consolidated Order was necessary and appropriate for the purposes of marshaling and preserving all assets, including in relevant part, assets that “were fraudulently transferred by the Defendants and/or Relief Defendants.” Doc. 177 at 2. The Court also authorized the Receiver “to sue for and collect, recover, receive and take into possession all Receivership Property” (*id.* ¶ 8.B.) and “[t]o bring such legal actions based on law or equity in any state, federal, or foreign court as the Receiver deems necessary or appropriate in discharging his duties as Receiver” (*id.* ¶ 8.I.). Similarly, the Court authorized, empowered, and directed the Receiver to “prosecute” actions “of any kind as may in his discretion, and in consultation with the CFTC’s counsel, be advisable or proper to recover and/or conserve Receivership Property.” *Id.* ¶ 43.

Pursuant to that mandate, the Receiver worked with forensic accountants to perform a cash-in/cash-out analysis of the Receivership Entities. This allowed the Receiver to identify any investor who received more money from a Receivership Entity than he or she contributed to the Receivership Entity. In Ponzi schemes, such amounts are generally referred to as “false profits” because the money transferred to the pertinent investor was not derived from legitimate activities but from other defrauded investors. Receivers in the Eleventh Circuit (and nationwide) have a clear right to recover false profits through fraudulent

transfer or “clawback” litigation. *See, e.g., Wiand v. Lee, et al.*, 753 F.3d 1194 (11th Cir. 2014).<sup>13</sup>

On February 28, 2020, the Receiver filed a motion seeking approval of certain pre-suit settlement procedures regarding his fraudulent transfer and unjust enrichment claims against investors who received false profits. Doc. 237. The Court granted that motion on March 16, 2020. Doc. 247. The Receiver then mailed approximately 175 demand letters to potential defendants, offering to waive the Receiver’s entitlement to prejudgment interest and to settle the Receiver’s claims for 90% of the investor’s false profits. Those letters also offered potential defendants the opportunity to dispute the Receiver’s calculations. The pre-suit resolution procedures were fruitful in several important ways:

- First and most importantly, the procedures resulted in settlements collectively worth \$246,497.09.
- Second, many investors and/or their counsel took the afforded opportunity to contest the Receiver’s calculations by providing documents showing that they did not, in fact, receive false profits or, for example, that the investor was entitled to an equitable setoff because one account received false profits but a related account suffered even greater losses. This conserved resources by avoiding unnecessary litigation.

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<sup>13</sup> *See also* Doc. 237 § II; *Wiand v. Lee*, 2012 WL 6923664, at \*17 (M.D. Fla. Dec. 13, 2012), *adopted* 2013 WL 247361 (M.D. Fla. Jan. 23, 2013) (“[A]s the Receiver indicates, it is well-settled that a receiver is entitled to recover from winning investors profits above the initial outlay, also known as ‘false profits,’ and an investor in a scheme does not provide reasonably equivalent value for any amounts received from [the] scheme that exceed the investor’s principal investment.”); *Perkins v. Haines*, 661 F.3d 623, 627 (11th Cir. 2011) (“Any transfers over and above the amount of the principal—*i.e.*, for fictitious profits—are not made for ‘value’ because they exceed the scope of the investors’ fraud claim and may be subject to recovery....”).

- Third, in more complicated situations, the Receiver and investors and/or their counsel entered into tolling agreements to afford additional time to exchange documents, reconcile accounts, and engage in negotiations. This process is ongoing.

Given the foregoing, the Receiver believes the pre-suit settlement procedures were productive and successful, but unfortunately, many investors did not take advantage of the afforded opportunity. In preparation for that likely event, on March 24, 2020, the Receiver moved the Court for authority to file clawback litigation. Doc. 258. The Court granted the Receiver's motion on April 13, 2020. Doc. 264. Pursuant to the Consolidated Order and the Court's express authorization, on April 14, 2020, the Receiver filed a clawback complaint against almost 100 non-settling investors, seeking to recover approximately \$4.4 million plus costs and prejudgment interest. A copy of the complaint can be found on the [Receiver's website](#) (the "**Clawback Action**").<sup>14</sup>

Since filing the Clawback Action, the Receiver has reached settlements with many defendants:

- On July 13, 2020, the Receiver moved the Court to approve 10 settlements with 15 defendants in the total amount of \$99,414.39. *See* Doc. 280. The Court granted the Receiver's motion on July 14, 2020. Doc. 281.
- On August 28, 2020, the Receiver moved the Court to approve 5 settlements with 8 defendants in the total amount of \$109,148.48.

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<sup>14</sup> The Receiver did not include individuals who received smaller amounts of false profits in the Clawback Action, but importantly, he has not abandoned his claims against those individuals. He will pursue them in a cost-efficient manner and will explore alternative methods of recovery. As such, the Receiver continues to encourage people who received demand letters but were not named in the Clawback Action to reach resolutions with the Receiver.

*See* Doc. 312. The Court granted the Receiver's motion on August 31, 2020. Doc. 314.

- On January 14, 2021, the Receiver moved the Court to approve 5 settlements with 6 defendants or potential defendants in the total amount of \$175,631.62. *See* Doc. 350. The Court granted the Receiver's motion on January 21, 2021. Doc. 357.
- On March 9, 2021, the Receiver moved the Court to approve 2 settlements with 3 defendants or potential defendants in the total amount of \$33,266.33. *See* Doc. 379. The Court granted the Receiver's motion on March 31, 2021. Doc. 383.
- On May 21, 2021, the Receiver moved the Court to approve 3 settlements with 5 defendants or potential defendants in the total amount of \$482,449.96. *See* Doc. 399. The Court granted the Receiver's motion on June 4, 2021. Doc. 404.
- On August 20, 2021, the Receiver moved the Court to approve 7 settlements with 8 defendants or potential defendants in the total amount of \$315,006.31. *See* Doc. 425. The Court granted the Receiver's motion on August 26, 2021. Doc. 427.

In total, the Receiver has obtained pre-suit settlements worth approximately \$246,497.09 and post-suit or post-judgment settlements worth approximately \$1,214,917.09. He has also obtained default judgments worth approximately \$2,145,880.47. As of this filing, one defendant is attempting to set aside the default judgment entered against him, but the liability portion of the Clawback Action is otherwise complete. The Receiver has begun registering default judgments, seeking writs of garnishment, and employing other collection mechanisms. These efforts are beginning to produce material results.

### **c. The Receiver's Litigation Against Montie**

The Receiver sued Raymond P. Montie, III for (like others) the recovery of fraudulent transfers and unjust enrichment but also for breaching his fiduciary



duties to Oasis International Group, Ltd. and related entities and for aiding and abetting the criminal breaches of fiduciary duties owed to those entities by Anile and DaCorta (the “**Montie Litigation**”). The Receiver seeks to recover fraudulent transfers in the amount of \$1.7 million that Montie received from the scheme and more than \$50 million in damages based on his tortious conduct. On June 16, 2020, Montie filed a motion to dismiss the Receiver’s complaint (ML Doc. 9), and on June 30, 2020, the Receiver filed a notice of his intent to amend the complaint, as a matter of right under the Federal Rules of Civil Procedure (ML Doc. 12). On July 2, 2020, Montie filed a motion seeking to strike the Receiver’s notice and to dismiss the Receiver’s case with prejudice. ML Doc. 13. During an in-person hearing on July 13, 2020, the judge presiding over the Montie Litigation denied the motion to strike. ML Doc. 22. The judge also denied Montie’s motion to dismiss as moot. ML Doc. 23.

On July 7, 2020, the Receiver filed an amended complaint, a copy of which is available on the Receiver’s website. On July 27, 2020, Montie filed a second motion to dismiss. ML Doc. 24. On November 2, 2020, the Court denied Montie’s second motion to dismiss. ML Doc. 45. The parties mediated their dispute on April 30, 2021, but did not reach a resolution. On May 25, 2021, the DOJ moved to stay the litigation to protect its ongoing criminal investigation, including the impending trial of defendant DaCorta. The court granted that motion on May 28, 2021, and the case is currently stayed until November 24, 2021. ML Doc. 62. Because DaCorta’s trial was subsequently continued from February 2022 to April

2022, the stay of the Montie Litigation will likely also be extended. Importantly, neither the CFTC nor the DOJ can assert the claims the Receiver alleged in the Montie Litigation, and given Montie's ongoing income from a multi-level-marketing company called Ambit Energy and ownership of several properties, the Receiver believes Montie has the resources to satisfy a substantial judgment.

**d. The Receiver's Litigation Against ATC Brokers Ltd., Spotex, LLC, and Affiliates**

As explained in Section IV above, the Court approved the engagement of the Sallah Firm to further investigate and prosecute claims against ATC and its affiliates. The Court also approved the engagement of Thomas Bakas as a litigation consultant. On May 28, 2021, the Receiver filed suit against ATC Brokers Ltd., David Manoukian, and Spotex, LLC. The complaint asserts claims for aiding and abetting fraud, aiding and abetting breaches of fiduciary duties, recovery of fraudulent transfers from ATC, gross negligence, and simple negligence. The Receiver is seeking both compensatory and punitive damages. A copy of the complaint was attached as Exhibit D to the Receiver's Ninth Interim Report and is also available on the [Receiver's website](#). The litigation is ongoing.

**3. Contemplated Litigation**

In addition to clawback claims, the Receiver might also assert tort claims against brokers, accountants, sales agents, lawyers, and others who aided and abetted the scheme or otherwise knew or should have known of fraudulent activity. The Receiver is reviewing information to determine if any individuals or entities discussed below have liability in connection with the scheme.

**a. Contemplated Litigation Against Insiders**

The Receiver is considering litigation against certain OIG insiders, including principals, sales agents, employees, “traders,” and others. On the one hand, the Receiver can assert legal and equitable claims that are independent of and distinct from any claims the government can assert, either through the CFTC, the DOJ, or otherwise. On the other hand, the Receiver seeks to avoid duplicating efforts made (or to be made) by the government to conserve resources and avoid unnecessary litigation. For example, the Receiver likely will not pursue independent litigation against defendant Anile because the DOJ has already obtained a multi-million-dollar criminal forfeiture judgment against him. The Receiver and the government have seized “his” assets, including the house in which he was living (Founders Club), the cars he and his wife were driving, and other personal property. Most of these assets have already been sold. Although defendant DaCorta has not pled guilty and is awaiting trial, the Receiver believes claims against him require similar treatment to avoid unnecessary expenditures.

The Receiver has entered into tolling agreements with defendants Haas and Duran (although this case is stayed, and the Consolidated Order contains a tolling provision, the Receiver also obtained tolling agreements in an abundance of caution to preserve his claims). This will afford the parties additional time to resolve criminal, civil, and other matters and to reach agreements, establish liability, and recover assets with minimal need for litigation or at least litigation funded by the Receivership Estate.

## **VI. Claims Process**

As explained more fully in prior interim reports, the Receiver – with this Court’s approval – has established a claims process through which he intends to distribute the proceeds of the Receivership Estate to creditors, including defrauded investors. The Claim Bar Date (as defined in Doc. 230 – *i.e.*, the deadline for submitting claims to the Receiver) was June 15, 2020. As of that date (with minimal exceptions), investors and other creditors submitted approximately 791 proof of claim forms totaling approximately \$70 million. Anyone who did not submit a proof of claim form by that date is forever barred from participating in a distribution from the Receivership Estate.

The Receiver and his counsel have finalized the Claims Determination Motion. As of this filing, the motion is with the defendants for consideration pursuant to Local Rule 3.01(g). The Receiver will file the motion as soon as possible. After the Court grants the motion, the Receiver will serve notice of his determinations on the claimants, who will have an opportunity to object to the Receiver’s determinations through specific procedures approved by the Court and consistent with due process requirements. In the Receiver’s experience, most objections can be resolved or settled using such procedures, but if any objections cannot be resolved, they will be presented to the Court for determination. Through this process, the Receiver intends to establish groups or classes of creditors with approved claims that are entitled to receive distributions from the Receivership Estate.

Once the claims process has been completed or substantially completed, the Receiver will evaluate the amount of cash available for distribution and move the Court to approve a first interim distribution to claimants with approved claims. If material claim objections are pending at the time the Receiver determines a distribution is appropriate, he might move the Court to establish reserves for the disputed claims, so they do not impair the Receiver's ability to make a distribution to claimants with undisputed claims. The Receiver anticipates making multiple distributions as assets become available, subject to cost/benefit concerns.

## **VII. The Next Ninety Days**

The Consolidated Order requires this Tenth Interim Report (and all subsequent reports) to contain “[t]he Receiver’s recommendations for a continuation or discontinuation of the [R]eceivership and the reasons for the recommendations.” Doc. 177 ¶ 56.G. At this stage, the Receiver recommends continuation of the Receivership because he still has (1) almost \$8 million to petition for remission from the DOJ and to distribute to victim-investors; (2) approximately \$500,000 to repatriate from Belize; (3) additional personal property to liquidate; (4) litigation to bring and/or prosecute; and (5) a claims process to complete and funds to distribute.

During the next 90 days, the Receiver will continue to collect and analyze documents from nonparties and other sources. The Receiver is also reviewing information to determine if any other third parties have liability either to the

Receivership Estate or investors. The Receiver will continue to attempt to locate funds and other assets and will likely institute additional proceedings to recover assets on behalf of the Receivership Entities. In an effort to more fully understand the conduct at issue and in an attempt to locate more assets, the Receiver will continue to conduct interviews and/or depositions of parties and third parties who might have knowledge of the fraudulent scheme.

### **CONCLUSION**

Investors and other creditors of the Receivership Entities are encouraged to periodically check the Receiver's website ([www.oasisreceivership.com](http://www.oasisreceivership.com)) for current information concerning this Receivership. The Receiver and his counsel have received an enormous amount of emails and telephone inquiries and have had to expend significant resources to address them. While the Receiver and his staff are available to respond to any inquiries, to minimize those expenses, investors and other creditors are strongly encouraged to consult the Receiver's website before contacting the Receiver or his counsel. Should the website not answer your question, please reach out to us. The Receiver continues to encourage individuals or attorneys representing investors who have information that might be helpful in securing further assets for the Receivership Estate or identifying other potential parties who might have liability to either the Receivership Estate or investors to email ([jrizzo@guerraking.com](mailto:jrizzo@guerraking.com)) or call Jeffrey Rizzo at 813-347-5100. The Receiver can be contacted directly by email ([Burt@BurtonWWiandPA.com](mailto:Burt@BurtonWWiandPA.com)) or by phone at 727-460-4679.

Dated this 2nd day of November 2021.

Respectfully submitted,

**s/ Burton W. Wiand**

Burton W. Wiand, Receiver

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on November 2, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

**s/ Jared J. Perez**

Jared J. Perez, FBN 0085192

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# **EXHIBIT A**



## Standardized Accounting Report Form

Standardized Accounting Report for Oasis Management LLC Receivership

Civil Court Docket No. 8:19-cv-00886-VMC-SPF

Reporting Period 07/01/2021 to 09/30/2021

		Details	Subtotal	Grand Total	Notes
Line 1	<b>Beginning Balance (As of 07/01/2021)</b>			\$ 12,874,814.29	
<b>Increases in Fund Balance</b>					
Line 2	Business Income	\$ 594.00			Rental/Mortgage Income
Line 3	Cash and Securities				
Line 4	Interest/Dividend Income	\$ 7,806.90			Interest Income
Line 5	Asset Liquidation				
Line 6	Third-Party Litigation Income	\$ 159,493.72			Settlements
Line 7	Other Miscellaneous	4,749.20			Insurance Refund
<b>Total Funds Available - Totals Line 1 - 7</b>			\$ 172,643.82	\$ 13,047,458.11	
<b>Decreases in Fund Balance</b>					
Line 9	Disbursements to Investors				
Line 10	Disbursements for Receivership Operations				
10a	Disbursements to Receiver/Other Professionals	\$ 312,040.48			
10b	Third-Party Litigation Expenses				
10c	Asset Expenses	\$ 3,969.68			Condo Fees, Insurance (Net)
10d	Tax Payments				
<b>Total Disbursements for Receivership Ops.</b>			\$ 316,010.16		
Line 11	Disbursements Related to Distribution Expenses				
Line 12	Disbursement to Court/Other				
Line 13	Other				
<b>Total Funds Disbursed - Total Lines 9 - 13</b>			\$ -	\$ 316,010.16	
Line 14	<b>Ending Balance (as of 09/30/2021)</b>			\$ 12,731,447.95	

## Standardized Accounting Report Form

Standardized Accounting Report for Oasis Management LLC Receivership  
 Civil Court Docket No. 8:19-cv-00886-VMC-SPF  
 From Inception to 09/30/2021

		Details	Subtotal	Grand Total	Notes
Line 1	<b>Beginning Balance</b>			-	
<b>Increases in Fund Balance</b>					
Line 2	Business Income	\$ 52,723.13			Rental/Mortgage Income
Line 3	Cash and Securities	\$ 8,661,433.46			Cash from Frozen Accts.
Line 4	Interest/Dividend Income	\$ 170,708.04			Interest Income
Line 5	Asset Liquidation	\$ 7,877,523.41			Sale of Real Estate/Misc.
Line 6	Third-Party Litigation Income	4,389,214.65			Settlements
Line 7	Other Miscellaneous	\$ 5,569.20			Cash from J. Anile House and Insurance Refund
<b>Total Funds Available - Totals Line 1 - 7</b>			\$ 21,157,171.89	\$ 21,157,171.89	
<b>Decreases in Fund Balance</b>					
Line 9	Disbursements to Investors	-			
Line 10	Disbursements for Receivership Operations				
10a	Disbursements to Receiver/Other Professionals	\$ 2,286,076.50			
10b	Third-Party Litigation Expenses	42,160.00			
10c	Asset Expenses	\$ 348,291.30			Condo Fees, Insurance, Repairs, Maint. & Utilities
10d	Tax Payments	\$ 109,117.36			County Sales & Property Tax
<b>Total Disbursements for Receivership Ops.</b>			\$ 2,785,645.16		
Line 11	Disbursements Related to Distribution Expenses				
Line 12	Disbursement to Court/Other	5,637,625.12			US Marshals Service
Line 13	Other	2,453.66			Cayman Registration Fee
<b>Total Funds Disbursed - Total Lines 9 - 13</b>			\$ 5,640,078.78	\$ 8,425,723.94	
Line 14	<b>Ending Balance (as of 09/30/2021)</b>			\$ 12,731,447.95	

Line 15	Number of Claims	791
15a	No. of Claims Received This Reporting Period	0 (increase due to recategorization of existing claims)
15b	No. of Claims Received Since Inception of Estate	791
Line 16	Number of Claimants/Investors	TBD (pending analysis for duplicative claims, etc.)
16a	No. of Claimants/Investors Paid This Reporting period	0
16b	No. of Claimants/Investors Paid Since Inception of Estate	0

Receiver:

By: 

Signature

Burton W. Wiand, Receiver  
Printed Name

Date: 11/2/2021

# **EXHIBIT B**

Account Name by Party or Affiliate	Account	Authorized Signer(s)	Bank	Account Type	Status	Still Frozen	Liquidated
13318 Lost Key Place, LLC	*2850	Michael Dacorta	Wells Fargo	Simple Business Checking	Liquidated	\$0.00	\$490.97
4064 Founders Club Drive, LLC	*3975	Joseph S. Anile II; MaryAnne E. Anile	Wells Fargo	Business Choice Checking	Liquidated	\$0.00	\$10,383.26
4064 Founders Club Drive, LLC	*1807	Joseph S. Anile II; MaryAnne E. Anile	Wells Fargo	Business Platinum Savings	Closed	\$0.00	\$0.00
444 Gulf of Mexico Drive, LLC	*3967	Michael Dacorta; Joseph S. Anile II	Wells Fargo	Simple Business Checking	Liquidated	\$0.00	\$15,600.10
4Oaks, LLC	*2572	Joseph S. Anile II; MaryAnne E. Anile	Wells Fargo	Business Choice Checking	Liquidated	\$0.00	\$30,910.45
6922 Lakantera Circle, LLC	*2805	Michael Dacorta	Wells Fargo	Simple Business Checking	Liquidated	\$0.00	\$37,929.49
Bowling Green Capital Management	*7485	Joseph S. Anile II; MaryAnne E. Anile	Capital One	Small Business Rewards Checking	Liquidated	\$0.00	\$6,173.59
Francisco Duran	*9152	Francisco Duran	JPMorgan Chase	Total Checking	Liquidated	\$0.00	\$309.24
Francisco Duran	*0568	Francisco Duran; Lauren K Duran	JPMorgan Chase	Checking	Liquidated	\$0.00	\$1,097.04
Francisco Duran	*1192	Francisco Duran	JPMorgan Chase	Total Checking	Liquidated	\$0.00	\$4,174.69
Francisco Duran	*8083	Francisco Duran	M&I/BMO Harris	Checking	Closed	\$0.00	\$0.00
Francisco Duran	*9788	Francisco Duran	M&I/BMO Harris	Checking	Closed	\$0.00	\$0.00
Francisco Duran or Rebecca C. Duran	*2550	Francisco Duran; Rebecca C. Duran	SunTrust	Checking	Closed	\$0.00	\$0.00
John J. Haas	*0245	John J. Haas	TD Bank	Checking	Liquidated	\$0.00	\$31,065.79
John J. Haas	*5029	John J. Haas	Jovia (f/k/a Nassau Educators Federal Credit Union)	Go Green Checking	Income Account	\$2,202.57	N/A
John J. Haas	TBD	John J. Haas	Equity Trust	IRA	TBD	\$174.66	\$0.00
John J. Haas; Lillian Haas	*2105	John J. Haas	TD Bank	Checking	Liquidated	\$0.00	\$4,362.80
John J. Haas; Lillian Haas	*9201	John J. Haas	TD Bank	Savings	Liquidated	\$0.00	\$1,001.23
John J. Haas, Inc.	*2488	John J. Haas	TD Bank	TD Business Convenience Plus	Liquidated	\$0.00	\$517.83
John J. Haas	*1211	John J. Haas	Knights of Columbus Insurance	Cash Surrender Value	Frozen	\$38,969.30	\$0.00
John J. Haas	*0715	John J. Haas	Knights of Columbus Insurance	Cash Surrender Value	Frozen	\$11,439.80	\$0.00

Account Name by Party or Affiliate	Account	Authorized Signer(s)	Bank	Account Type	Status	Still Frozen	Liquidated
Joseph S. Anile II	*7857	Joseph S. Anile II	Regions	Savings	Disputed	\$5,000.75	\$0.00
Joseph S. Anile II	*8241	Joseph S. Anile II	Regions	Lifegreen Checking	Liquidated	\$0.00	\$3,123.20
Lagoon Investments, Inc.	*1522	Michael Dacorta; Joseph S. Anile II.	Regions	Business Checking	Liquidated	\$0.00	\$17,889.07
Mainstream Fund Services, Inc.	*1174	Denise DePaola; Michael Nolan	Citibank	Savings	Unfrozen by Agreement	\$0.00	\$0.00
Mainstream Fund Services, Inc.	*5606	Denise DePaola; Michael Nolan	Citibank	Checking	Unfrozen by Agreement	\$0.00	\$0.00
Mainstream Fund Services, Inc.	*0764	Denise DePaola; Michael Nolan	Citibank	Checking	Liquidated	\$0.00	\$6,012,397.78
Michael DaCorta	*1424	Michael Dacorta	Wells Fargo	Everyday Checking	Liquidated	\$0.00	\$751.54
Michael DaCorta	*0387	Michael Dacorta	AXA	Annuity Policy	Terminated 7/15/16	\$0.00	\$0.00
Michael DaCorta	TBD	Michael Dacorta	PNC	TBD	TBD	\$0.00	\$0.00
Michael DaCorta; Carolyn DaCorta	*0386	Michael Dacorta	People's United	TBD	TBD	\$0.00	\$0.00
Oasis Management, LLC	*9302	Michael Dacorta	Wells Fargo	Business Package Checking	Liquidated	\$0.00	\$2,149,654.18
Oasis Management, LLC	*3887	Michael Dacorta	Wells Fargo	Market Rate Savings	Liquidated	\$0.00	\$605.33
Oasis Capital Management S.A.	*6058	TBD	British Caribbean Bank International	TBD	Closed	\$0.00	\$0.00
Oasis Capital Management S.A.	*1200	TBD	Belize Bank International, Ltd.	TBD	Closed	\$0.00	\$0.00
Oasis Global (Nevis) Ltd.	*9631	TBD	Bank of America	Busines Checking	Closed	\$0.00	\$0.00
Oasis Global FX Limited	*4622	Joseph S. Anile II	Choice Bank (Belize)	TBD/Liquidator Appointed	See Report	\$0.00	\$55,960.78
Oasis Global FX, S.A.	*0055	Joseph S. Anile II	Barclays Bank/ATC	Closed "Trading" Account	See Report	\$0.00	\$2,005,368.28
Oasis Global FX, S.A.	*5663	Joseph S. Anile II	Choice Bank (Belize)	TBD	Closed	\$0.00	\$0.00
Oasis Global FX, S.A.	*6059	Joseph S. Anile II	Heritage Bank	Deposit for Broker Activity	See Report	\$500,000	\$0.00
Raymond P. Montie	*1510	Raymond P. Montie	AXA	401k Plan	Open	\$165,747.53	\$0.00
Raymond P. Montie	*8414	Raymond P. Montie	Federal Savings Bank; First SeaCoast Bank	Checking	New Income Account	\$177,035.17	N/A
Raymond P. Montie	*1574	Raymond P. Montie	Fidelity Investments	IRA Account	Open	\$6,531.72	\$0.00
Raymond P. Montie	*4500	Raymond P. Montie	Fidelity Investments	Investment Account	Underwater	-\$24.82	\$0.00
Raymond P. Montie	*2805	Raymond P. Montie	TD Bank	Premier Checking	Liquidated	\$0.00	\$138,508.73
Raymond P. Montie	*3802	Raymond P. Montie	TD Bank	Savings	Frozen	\$0.00	\$0.00

<b>Account Name by Party or Affiliate</b>	<b>Account</b>	<b>Authorized Signer(s)</b>	<b>Bank</b>	<b>Account Type</b>	<b>Status</b>	<b>Still Frozen</b>	<b>Liquidated</b>
Raymond P. Montie	*2148	Raymond P. Montie	TD Bank	TD Beyond Checking; Old Income Account; Closed by TD Bank	Closed	\$0.00	N/A
Raymond P. Montie; Danielle TerraNova	*3934	Raymond P. Montie	TD Bank	Relationship Checking	Closed	\$0.00	\$0.00
RPM 7 LLC	*6068	Raymond P. Montie	TD Bank	Business Convenience Plus	Liquidated	\$0.00	\$2,395.63
RPM 7 LLC	*1952	Raymond P. Montie	TD Bank	Business Convenience Plus	Liquidated	\$0.00	\$7,834.46
RPM 7 LLC	*6076	Raymond P. Montie	TD Bank	TBD	Closed	\$0.00	\$0.00
RPM 7 LLC	*6430	Raymond P. Montie	TD Bank	TBD	Closed	\$0.00	\$0.00
RPM 7 LLC	*6638	Raymond P. Montie	TD Bank	TBD	Closed	\$0.00	\$0.00
Diamond BOA LLC	*0306	Raymond P. Montie	TD Bank	Business Convenience Plus	Liquidated	\$0.00	\$8,130.54
Goose Pond Consulting	*9658	Raymond P. Montie; Danielle TerraNova	NBT Bank	Free Business Checking	TBD	\$766.76	\$0.00
Roar of the Lion Fitness, LLC	*1396	Michael Dacorta; Andrew Dacorta	Wells Fargo	Business Choice Checking	Liquidated	\$0.00	\$17,704.97
Satellite Holdings Company	*8808	John Haas	Wells Fargo	Market Rate Savings	Liquidated	\$0.00	\$500.42
Satellite Holdings Company	*5347	John Haas	Wells Fargo	General Operating Checking	Liquidated	\$0.00	\$127,921.13

# **EXHIBIT C**



Property	Units	Estimated Value or Purchase Price	Lien	Status or Disposition	Actual Value or Sale Price
<b>Defendant Anile/4064 Founders Club Drive</b>					
2015 Mercedes Benz SLK 350	1	\$28,050.00	\$0.00	Forfeited; Sold; Returned; Resold	\$23,000.00
2016 Mercedes Benz GLE 400	1	\$37,000.00	\$0.00	Forfeited; Sold	\$31,027.50
100 Ounce Silver Bars	100	\$150,900.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
One Ounce Gold Coins	200	\$255,320.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
U.S. Currency	N/A	\$62,750.00	\$0.00	Forfeited; In USMS/FBI Custody	\$62,750.00
Quietsource 48KW Generator	1	\$28,017.00	\$0.00	Sold by Receiver	\$12,500.00
Pool Table	1	TBD	\$0.00	Receiver Seeking Return from Anile	TBD
Piano	1	\$1,000.00	\$0.00	Sold by Receiver	\$1,000.00
Jewelry	Misc.	\$60,749.00	\$0.00	Receiver Seeking Return from Anile	TBD
Bedroom Set	1	\$1,000.00	\$0.00	Sold by Receiver	\$1,000.00
Grandfather Clock	1	TBD	\$0.00	Receiver Seeking Return from Anile	TBD
Misc. Household Items and Furniture	59	\$6,000.00	\$0.00	Auctioned (Gross Sale Price)	\$17,875.00
<b>Defendant DaCorta/13318 Lost Key Place/6922 Lacantera Circle</b>					
2017 Maserati Ghibli S Q4	1	\$60,800.00	\$43,528.88	Forfeited; Abandoned After Further Investigation	\$0.00
2018 Land Rover Range Rover Velar	1	\$57,825.00	\$0.00	Forfeited; Sold	\$48,462.00
2015 Land Rover Range Rover Evoque	1	\$25,100.00	\$26,129.29	Abandoned Due to Lack of Value Given Lien	\$0.00
100 Ounce Silver Bars	64	\$96,576.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
\$1.00 Silver One Ounce Coins	1,500	\$22,635.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
Credit Suisse One Ounce Gold Ingots	3	\$3,829.80	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
APMEX.com One Ounce Silver Coins	5	\$75.45	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
Lady Liberty \$50 Gold One Ounce Coins	7	\$8,629.80	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
Lady Liberty \$50 Gold One Ounce Coins	40	\$48,000.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
Lady Liberty \$1.00 Silver One Ounce Coins	120	\$2,400.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
"Bitcoin" One Ounce Gold-Plated Coin	1	\$1.00	\$0.00	Forfeited; Sold; Listed Price is for all Metals	\$657,382.25
U.S. Currency	N/A	\$160,000.00	\$0.00	Forfeited; In USMS/FBI Custody	\$160,000.00
Handgun	1	\$517.00	\$0.00	Receiver Seeking Return from DaCorta	TBD
Coffee Table	1	\$200.00	\$0.00	Sold by Receiver	\$200.00
Televisions	2	\$200.00	\$0.00	Sold by Receiver	\$200.00
Safe	1	\$200.00	\$0.00	Sold by Receiver	\$200.00
Outdoor Speakers	2	\$150.00	\$0.00	Sold by Receiver	\$150.00
Pool Table Chairs	2	\$300.00	\$0.00	Sold by Receiver	\$300.00

Sauna	1	TBD	\$0.00 For Sale by Receiver	TBD
Quietsource 48KW Generator	1	\$24,969.81	\$0.00 Not Delivered; Refund Pending	TBD
Misc. Household Items and Furniture	50	\$2,000.00	\$0.00 Auctioned (Gross Sale Price)	\$1,465.00

**Defendant Duran/7312 Desert Ridge Glen**

2018 Porsche 911 C4 Targa	1	\$113,375.00	\$90,898.75 Forfeited; Sold	\$104,902.50
2018 Mercedes Benz Convertible SL 450R	1	\$65,825.00	\$83,611.29 Abandoned Due to Lack of Value Given Lien	\$0.00
2019 Land Rover Range Rover Sport	1	\$0.00	\$0.00 Leased; Not Seized Due to Lack of Value	\$0.00
Swiss Watch	1	\$10,900.00	\$0.00 Receiver Seeking Return from Duran	TBD
Golf Cart	1	\$5,500.00	\$0.00 Sold by Receiver	\$4,750.00
Televisions	2	\$200.00	\$0.00 Sold by Receiver	\$200.00
Misc. Household Items and Furniture	28	\$1,000.00	\$0.00 Auctioned (Gross Sale Price)	\$2,160.00

**Defendant Montie**

1996 Mercedes Benz 500SL	1	\$2,167.00	\$0.00 Sold; Escrowed	\$10,500.00
2016 Toyota 4Runner	1	\$22,885.00	\$12,180.85 Disclosed in 8/30/19 Financial Affidavit	TBD
2009 South Bay Pontoon Boat	1	\$11,590.00	\$0.00 Disclosed in 8/30/19 Financial Affidavit	TBD
Furniture Located in PA House	Misc.	TBD	\$0.00 Disclosed in 8/30/19 Financial Affidavit	TBD
Furniture Located in NH House	Misc.	TBD	\$0.00 Disclosed in 8/30/19 Financial Affidavit	TBD
Furniture Located in NY House	Misc.	\$0.00	\$0.00 Mostly Abandoned Due to Lack of Value	\$50.00
Standard Oil Company, Inc. Stock	60,606	TBD	\$0.00 Disclosed in 8/30/19 Financial Affidavit; Purchased for \$100,000 in 2015	TBD
Ounces of Silver	990	\$17,087.00	\$0.00 Disclosed in 8/30/19 Financial Affidavit	TBD
Firearms	19	\$8,290.00	\$0.00 Disclosed in 8/30/19 Financial Affidavit	TBD

**Defendant Haas**

2012 Mercedes Benz GLK 350 (black)	1	\$2,800.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Updated	TBD
2012 Mercedes Benz GLK 350 (silver)	1	\$10,000.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Updated	TBD
1966 Ford LTD (gold)	1	\$2,500.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Updated	TBD
1966 Ford LTD (green)	1	\$500.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Disposed	TBD
1959 GMC 100 Truck	1	\$6,000.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Repairs	TBD
2014 Ford Escape	1	\$12,000.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; L. Haas	TBD
2013 Horton Trailer	1	\$400.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Updated	TBD
Household Furniture	Misc.	TBD	\$0.00 Disclosed in 6/24/19 Financial Affidavit	TBD
Auto Parts	Misc.	\$1,000.00	\$0.00 Disclosed in 6/24/19 Financial Affidavit; Varies	TBD

**Relief Defendant 4Oaks, LLC (Anile)**

2015 Ferrari California T	1	\$174,300.00	\$0.00 Forfeited; Sold	\$100,470.00
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**Relief Defendant Roar of the Lion Fitness, LLC**

Nutritional Supplement Capsules	11,247	TBD	\$0.00 For Sale By Receiver	TBD
Promotional Yoga Mats and Hats	357	TBD	\$0.00 For Sale By Receiver	TBD
Nutritional Protein Powder	1805	TBD	\$0.00 For Sale By Receiver	TBD
Nutritional "Pre-Workout" Powder	876	TBD	\$0.00 For Sale By Receiver	TBD
Nutritional Creatine Powder	861	TBD	\$0.00 For Sale By Receiver	TBD