

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO 1437 Bannock Street Denver, CO 80202	DATE FILED: July 14, 2022 3:58 PM FILING ID: 7998FD465A92A CASE NUMBER: 2019CV33770
TUNG CHAN, Securities Commissioner for the State of Colorado, Plaintiff, v. MARK RAY; REVA STACHNIW; CUSTOM CONSULTING & PRODUCT SERVICES, LLC; RM FARM & LIVESTOCK, LLC; MR CATTLE PRODUCTION SERVICES, LLC; SUNSHINE ENTERPRISES; UNIVERSAL HERBS, LLC; DBC LIMITED, LLC, Defendants.	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<i>Attorneys for Court-appointed Receiver Gary Schwartz:</i> John A. Chanin, #20749 Katherine A. Roush, #39267 FOSTER GRAHAM MILSTEIN & CALISHER, LLP 360 South Garfield Street, Suite 600 Denver, Colorado 80209 Phone: (303) 333-9810 Fax: (303) 333-9786 Email: jchanin@fostergraham.com ; kroush@fostergraham.com	Case Number: 19CV33770 Division: 209
FOURTH APPLICATION FOR PROFESSIONAL FEES	

Gary Schwartz (“Receiver”), Court-appointed Receiver for the Receivership Assets of Defendants Mark Ray (“Ray”), Reva Stachniw (“Stachniw”), Custom Consulting & Product Services, LLC (“CCPS”), RM Farm & Livestock, LLC (“RM”), MR Cattle Production Services, LLC (“MR Cattle”), Sunshine Enterprises (“Sunshine”), Universal Herbs, LLC (“Universal”), DBC Limited, LLC (“DBC”) (collectively, the “Receivership Defendants”), submits this Third Application for Fees and Expenses, which covers the period from December 1, 2021 through June 30, 2022.

1. On September 30, 2019, David Cheval, then-Acting Securities Commissioner for the State of Colorado (the “Commissioner”), filed his Complaint for Injunctive and Other Relief against Ray and the Ray Entities. The Securities Commissioner is now Tung Chan.

2. On September 30, 2019, the Commissioner and Ray, Custom Consulting, MR Cattle, UH and DBC filed a Stipulated Motion for Appointment of Receiver, consenting to the appointment of a receiver over Ray, Custom Consulting, MR Cattle, UH and DBC pursuant to Colo. Rev. Stat. § 11-51-602(1) and C.R.C.P. 66.

3. On September 30, 2019, the Court entered a Stipulated Order Appointing Receiver (the “September 30 Order”) appointing Gary Schwartz of Betzer Call Lausten & Schwartz, LLP as receiver for Ray, Custom Consulting, MR Cattle, UH and DBC and their respective properties and assets, and interests and management rights in related affiliated and subsidiary businesses (the “Ray Estate”) September 30 Order at ¶ 3.

4. On September 30, 2019, the Securities and Exchange Commission (“SEC”) filed a Complaint against Ray and the Ray Entities and Ron Throgmartin in the United States District Court for the District of Colorado, case no. 19-cv-02789-DDD-NYW (the “Federal Case”).

5. On September 30, 2019 the SEC and Ray, Throgmartin, UH, Custom Consulting, MR Cattle, and DBC filed a stipulated request for the entry of consent orders in the Federal Case.

6. The Court in the Federal Case granted the request for entry of consent orders on October 10, 2019 (the “Ray Consent Judgments”).

7. On October 16, 2019, the SEC and Stachniw, RM Farm and Sunshine filed a second stipulated request for the entry of consent orders in the Federal Case.

8. The Court in the Federal Case granted the request for entry of consent orders on October 18, 2019 (the “Stachniw Consent Judgments”).

9. On October 30, 2019, the Commissioner and Stachniw, RM Farm and Sunshine filed a Second Stipulated Motion for Appointment of Receiver, consenting to the appointment of a receiver over RM Farm, Sunshine, and “the real property, equipment, supplies or inventory located at 12700 E. Lone Chimney Road, Glencoe, OK 74032 that are in the name of or under the control of” Stachniw (the “Stachniw Assets”) pursuant to Colo. Rev. Stat. § 11-51-602(1) and C.R.C.P. 66.

10. On November 4, 2019, the Court entered a Stipulated Order Appointing Receiver (the “November 4 Order” and collectively with the September 30 Order, the “Receivership Orders”) appointing Gary Schwartz of Betzer Call Lausten & Schwartz, LLP as receiver for the Stachniw Assets, RM Farm, Sunshine, and RM Farm’s and Sunshine’s respective properties and assets, and interests and management rights in related affiliated and subsidiary businesses, and (the “Stachniw Estate”) and added the Stachniw Estate to the Ray Estate (collectively, the Stachniw Estate and Ray Estate are referred to herein as the “Receivership Estate” or “Estate”). November 4 Order at ¶¶ 3, 4.

11. The Ray Consent Judgments and the Stachniw Consent Judgments both stay the Federal Case during the pendency of the above-captioned litigation.

12. The Receivership Orders give the Receiver the authority to “hire as an expense of the Estate, the personnel necessary to perform a historical accounting of the Estate for such time period as may be determined by the Receiver and to maintain a complete and accurate accounting of the income and expenses of the Estate . . . and to pay the reasonable value for the services rendered[.]” Receivership Orders at ¶ 5(n)(iii).

13. The Receivership Orders give the Receiver the authority to “hire as an expense of the Estate such employees, accountants, consultants, attorneys and other professionals, as his

counsel, as is necessary for the proper administration of the Estate.” *Id.* ¶ 5(n)(iv) and other professionals as may be reasonably necessary to the proper discharge of the Receiver’s duties, and to hire, pay and discharge the personnel necessary to fulfill the obligations of the Receiver hereunder, including the retention of . . . other third parties to assist the Receiver in the performance of its duties hereunder, all within the Receiver’s discretion[.]” Receivership Order at p. 9, ¶ 13(1).

14. The Receivership Orders further state that

The Receiver shall make an application of the Court for payment of reasonable and necessary fees, costs and expenses incurred as Receiver, including but not limited to, disbursement of professional fees to himself, his counsel, or accountant, and shall be entitled to payment of said fees and expenses as hereinafter provided. Copies of the application to the Court shall be provided to counsel for the parties and to the Commissioner. Such parties shall have ten (10) calendar days following the filing of such application to file any objections with the Court. Objections will not be general in nature but are to be specific, stating all amounts, in detail, if any, which is not objected to by the objector. If no objections are filed with the Court within ten (10) calendar days, the Receiver may thereupon draw funds from his trust account sufficient to pay such fees, disbursements and expenses without further order of the Court. If any objections are filed the Receiver may draw funds from his trust account sufficient to pay the amount not objected to, and the Court will conduct a hearing on any objections within twenty (20) days from the filing of the objection. At such hearing, the compensation of the Receiver or other professional as well as allowable disbursements and expenses will be determined by the Court. *Id.* ¶ 5(n)(iv).

15. This Application covers the period from December 1, 2021 through June 30, 2022. This is the Receiver’s fourth fee application. This Application requests the following fees and expenses:

Provider	Amount Sought:	Description:
Betzer, Lausten Call & Schwartz, LLP and Gary Schwartz, Receiver	\$ 42,626.67	Receiver and Accounting Fees
Foster Graham Milstein & Calisher, LLP	\$ 268,483.12	Legal Fees and costs

16. A detailed itemization of the fees requested are included in Exhibits 1 and 2 hereto.

Betzer, Lausten Call & Schwartz, LLP's Fees

17. In addition to the activities outlined in the Receiver's previous reports, all of which remain ongoing, The Receiver and his staff have continued to diligently work on a forensic accounting on the entire Estate, to establish what monies came into and went out of the Estate and the various entities. That work is largely complete, but for continued analysis to evaluate investors; claims and possible claw-back litigation against individuals and entities.

18. The focus of the forensic accounting team over the past six months has been multi-faceted. The forensic accounting team has incorporated large amount of information from investors' bank statements, reviewed and summarized the data entry in the form of detailed and summary reports of all banking activity for each party, and has begun the process to compare the banking activity entered to the claims made.

19. To date, the forensic accounting team has entered over six thousand transactions from investor accounts that represent over \$500 million in both inflows and outflows. In context, the forensic accounting team entered almost forty thousand transactions from the Mark Ray enterprise bank accounts that represent over \$900 million of both inflows and outflows. In total, in absolute dollars, the forensic accounting team has entered over **\$3 billion** in funds flowing among and between the Mark Ray enterprise and the investors (to be clear, this figure represents the amount of entry completed and includes, in many cases, both sides of transactions). To avoid double-counting transactions in the analyses, the forensic accounting team has created a complex matching algorithm to help flag transactions where the team believes they have information from both sides of a transaction. Of the approximately \$500 million in and out of the investor accounts, the forensic accounting team has matched approximately \$300 million of the investor account inflows and \$400 million of the outflows. This leaves approximately \$200 million and \$100

million respectively that was not contained in the entry of the Mark Ray enterprise accounts and largely represents investor-to-investor funds flow. These amounts have been associated to individual investors and incorporated in the claims and claw-back analyses.

20. As described in the Receiver's previous reports, this process is necessarily iterative; the forensic accounting team continues to incorporate new information as it is received. A significant part of their analysis has been to understand the relationship of the parties to one another. They have worked with counsel for the Receiver to identify those parties who should be connected and considered together. For example, certain investors' transactions may have reflected their personal names when they contributed money to the Mark Ray enterprise but may have received funds from the Mark Ray enterprise under a different name, sometimes that of a business or a bank. Several investors had family members that were also investors in the scheme; in some cases, these are most appropriately analyzed as a grouped investment and in other cases they have been analyzed separately. The forensic accounting team has worked with counsel and claimants to understand how investments were structured to analyze investor groupings most appropriately. By associating names together, the Receiver and the forensic accounting team can more accurately assess each individual investor's overall standing. By repeatedly summarizing and analyzing this information together with counsel, the forensic accounting team continues to refine their understanding and presentation of the net funds flow to and from each investor.

21. The forensic accounting team has created reports of the funds flow for parties involved with the Mark Ray enterprise summarized by different characteristics and have created a report for each individual investor. This report summarizes all the funds flow by the various names associated with that investor and reflects every detailed transaction associated with that investor.

These reports allow the Receiver and counsel to conduct detailed analysis of claims submitted by the investors and the responses to claw-back litigation.

22. The team continues to work with counsel and claimants' counsel to review the documentation supporting each claim, which, in many cases, has resulted in requests for additional supporting information. Each claim submitted is compared to the existing banking information; this reconciliation has then been used to communicate variances to the claimants and their counsel. This process has been necessarily iterative because the information submitted by the claimants varies in its nature, quality, and level of detail provided. The forensic accounting team continues to review and incorporate information provided by claimants as appropriate.

23. The forensic accounting team has also assisted counsel with providing information in reply to a variety of ad hoc requests regarding certain specific parties, which helps counsel in regard to a variety of other legal activities related to the estate.

24. The Receiver has also addressed Titan Health's default of the Asset Purchase Agreement and various promissory notes between Universal Herbs, LLC and Titan. Pursuant to the terms of those agreements and notes, the Receiver has accelerated the payments under the notes and has filed suit against Titan Health, including requesting that a receiver be appointed over the assets Universal Herbs sold to Titan in order to protect those assets as they are Universal Herbs' collateral. On May 25, 2022, the Receiver was appointed as Receiver over these assets and has been working to maintain those assets.

25. In October 2020, the Receiver sought and obtained Court approval for a claims process, which established a bar date on February 1, 2021. On January 20, 2021, the Receiver extended the claims bar date to March 15, 2021 to ensure every potential creditor had a chance to submit a claim.

26. As of the Bar Date, the Estate received 98 claims, totaling \$64,128,430.21. These claims includes claims from vendors of the Estate, investors in the cattle scheme, and banks.

27. The Receiver is in the process of evaluating each claim and supporting documentation.

Foster Graham Milstein & Calisher's Fees

28. Foster Graham Milstein & Calisher, LLP ("the Firm") was hired as legal counsel by the Receiver, and attorneys at the Firm have been working diligently in that capacity since September 30, 2019. The Firm's invoices are attached here as Exhibit 2. In particular, Firm partner John Chanin has extensive experience representing receivers appointed to investigate and wind down a Ponzi scheme.

29. As counsel to the Receiver, in the last six months, the Firm has performed numerous tasks, including without limitation:

- a. Providing legal advice and counsel to the Receiver, often on a daily basis, on a broad array of topics, such as employment issues, regulatory issues, tax issues, real estate and lease issues, litigation and settlement options, and the scope of the Receiver's powers and duties under the Receivership Orders;
- b. Communicating regularly with investors and counsel concerning the Receivership and the investigation;
- c. Reviewing and analyzing nearly 100 claims filed by investors, vendors and other interested persons, including review supporting documentation provided by claimants and comparing provided information with the investor reports created by BCLS for a preliminary adjudication of claims;

- d. Reviewing and analyzing dozens of investor reports detailing each investor's investments in and distributions from the Ponzi scheme;
- e. Investigating the underlying facts of the Ponzi scheme, including conducting dozens of witness interviews;
- f. Investigating and analyzing potential claims the Estate may have against third parties, including financial institutions, for fraudulent transfer and for aiding and abetting the Ponzi scheme, including moving to compel subpoenas;
- g. Negotiating settlements with 13 individuals (including those individuals whom the Receiver brought claims against), all of whom were investors in the Ponzi scheme and all of whom the Receiver's forensic analysis indicated had received fictitious profits from the Ponzi scheme. This involved sending demand letters, entering into tolling agreements, and, in many cases, engaging in extensive negotiation with each of these investors/investors' counsel. Many of these settlements also involved review and analysis of additional information regarding each investor's transactions with the Mark Ray and the Ponzi scheme that the investors provided the Receiver and FGMC. In each case, the goal was to accurately identify the amount of alleged fictitious profits each investor received from the Ponzi scheme.
- h. Recovering \$1,659,782 in settlements for the Estate.
- i. Coordinating with the Colorado Securities Commissioner, the trial attorney for the SEC, and the federal criminal prosecutor and case agent;
- j. Performing legal research and analysis on a myriad of issues;
- k. Filing suit against Titan Health, Inc for defaulting on promissory notes owed to Universal Herbs, LLC, and successfully requesting that Gary Schwartz be

appointed as Receiver over the assets Universal Herbs sold to Titan Health and in which Universal Herbs maintains a secured interest;

1. Beginning to create a distribution plan for approval by the Court and all interested parties .

30. The Firm bills on an hourly basis ranging from \$325 to \$495 for attorney time, and \$150 for paralegal time. The Firm has written off all finance charges and is not seeking reimbursement for finance charges. The Firm also has largely not billed for a second paralegal's time, resulting in a significant discount to the Estate. These rates are at or below the market rate typically charged by attorneys with the same experience and background as the attorneys representing the Receiver.

31. Pursuant to Paragraph 5(n)(iv), the Receiver is providing a copy of this Application and exhibits to counsel for the parties to this case. Court approval of the application shall be given as a matter of course unless a party objects within ten days after service.

DATED this 14th Day of July, 2022.

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

By: /s/ Katherine A. Roush
John A. Chanin, #20749
Katherine A. Roush, #39267

Attorneys for Court-appointed Receiver Gary Schwartz

Betzer Call Lausten & Schwartz, LLP
633 Seventeenth Street
Suite 2250
Denver, CO 80202
FEIN: 84-1521553

EXHIBIT 1

January 14, 2022

DATE FILED: July 14, 2022 3:58 PM
FILING ID: 7998FD465A92A
CASE NUMBER: 2019CV33770

Gary Schwartz
BCLS

In Reference To: Ray Receivership - Matter #76801
Invoice # 17514

Professional services rendered:

			<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/1/2021	KH	Review and analyze Investor documents and update database.	3.50	\$100.00/hr	350.00
12/3/2021	ML	Project coordination. Register new investor claims information in database.	0.50	\$375.00/hr	187.50
	KH	Discussion with Counsel. Review and analyze Investor documents and update database.	2.75	\$100.00/hr	275.00
12/6/2021	KH	Review and analyze Investor documents and update database.	1.50	\$100.00/hr	150.00
12/7/2021	GMS	Meeting with M. Lausten re: claims and damages.	1.25	\$400.00/hr	500.00
12/8/2021	GMS	Telephone conference with counsel re: [REDACTED].	2.25	\$400.00/hr	900.00
12/9/2021	KH	Discussion with Counsel. Review and analyze Investor documents and update database.	3.25	\$100.00/hr	325.00
12/13/2021	GMS	Telephone conference with S. Rivera from IRS for UHerbs. Research re: payments.	3.75	\$400.00/hr	1,500.00
12/16/2021	KH	Review and prepare images of checks to Ryan Jepsen.	4.75	\$100.00/hr	475.00

EXHIBIT 1

Gary Schwartz

Page 2

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/17/2021 KH Review Jepsen check images.	0.25	\$100.00/hr	25.00
12/20/2021 GMS Document review of settlement proposals.	1.25	\$400.00/hr	500.00
12/21/2021 GMS Data review and analysis of claims and settlements.	2.00	\$400.00/hr	800.00
12/22/2021 GMS Telephone conference with counsel.	1.25	\$375.00/hr	468.75
12/23/2021 GMS Document review of IRS claims. Telephone call with accountant.	2.75	\$375.00/hr	1,031.25
12/28/2021 KH Download and review McGregor documents.	0.50	\$100.00/hr	50.00
			<hr/>
For professional services rendered			\$7,537.50
Additional Charges :			
12/31/2021 Photocopies.			6.50
Scanned documents.			16.00
			<hr/>
Total costs			\$22.50
			<hr/>
Total amount of this bill			\$7,560.00
Previous balance			\$131,700.40
12/31/2021 Payment - thank you. ACH			(\$131,700.40)
			<hr/>
Total payments and adjustments			(\$131,700.40)
			<hr/>
Balance due			\$7,560.00
			<hr/> <hr/>

Betzer Call Lausten & Schwartz, LLP
633 Seventeenth Street
Suite 2250
Denver, CO 80202
FEIN: 84-1521553

EXHIBIT 1

February 9, 2022

Gary Schwartz
BCLS

In Reference To: Ray Receivership - Matter #76801
Invoice # 17535

Professional services rendered:

			<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
1/5/2022	GMS	Document review of settlement documents. Telephone call with counsel.	3.25	\$400.00/hr	1,300.00
1/27/2022	KH	Review and analyze investor documents and update database.	2.25	\$100.00/hr	225.00
1/28/2022	GMS	Telephone conference with counsel re: [REDACTED].	1.25	\$400.00/hr	500.00
1/31/2022	KH	Discussion with counsel and review and analyze investor documents and update database.	2.00	\$100.00/hr	200.00
		For professional services rendered			<u>\$2,225.00</u>
		Previous balance			\$7,560.00
		Balance due			<u><u>\$9,785.00</u></u>

EXHIBIT 1**Betzer Call Lausten & Schwartz, LLP**

633 Seventeenth Street

Suite 2250

Denver, CO 80202

FEIN: 84-1521553

March 9, 2022

Gary Schwartz

BCLS

In Reference To: Ray Receivership - Matter #76801

Invoice # 17558

Professional services rendered:

		<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
2/4/2022	GMS Document review of claims information.	1.25	\$400.00/hr	500.00
	KH Review and analyze Investor documents and update database.	1.50	\$100.00/hr	150.00
2/24/2022	GMS Document review.	5.25	\$400.00/hr	2,100.00
	For professional services rendered			\$2,750.00
Additional Charges :				
2/28/2022	Photocopies.			0.30
	Scanned documents.			3.00
	Total costs			\$3.30
Total amount of this bill				\$2,753.30
Previous balance				\$9,785.00
Balance due				\$12,538.30

EXHIBIT 1

Betzer Call Lausten & Schwartz, LLP
 633 Seventeenth Street
 Suite 2250
 Denver, CO 80202
 FEIN: 84-1521553

April 14, 2022

Gary Schwartz
 BCLS

In Reference To: Ray Receivership - Matter #76801
 Invoice # 17579

Professional services rendered:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
3/1/2022 BM February time - 5.5 hrs.	5.50	\$275.00/hr	1,512.50
3/31/2022 BM March time - 3.75 hrs.	3.75	\$275.00/hr	<u>1,031.25</u>
For professional services rendered			\$2,543.75

Additional Charges :

3/10/2022 Letter to IRS - Certified RR			8.56
3/31/2022 Photocopies.			<u>1.30</u>
Total costs			\$9.86

Total amount of this bill			<u>\$2,553.61</u>
Previous balance			\$12,538.30
Balance due			<u><u>\$15,091.91</u></u>

May 16, 2022

Gary Schwartz
BCLS

In Reference To: Ray Receivership - Matter #76801
Invoice # 17598

Professional services rendered:

			<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
4/8/2022	ML	Project coordination.	0.50	\$375.00/hr	187.50
4/11/2022	ML	Update transactions database. Review transactions.	1.25	\$375.00/hr	468.75
	KH	Review and analyze Investor documents and update database.	5.50	\$150.00/hr	825.00
4/12/2022	ML	Update transactions database. Review transactions. Discussion with counsel.	1.25	\$375.00/hr	468.75
	KH	Review and analyze investor documents and update database. Discussion with M. Lausten and counsel.	3.25	\$150.00/hr	487.50
4/13/2022	KH	Review and analyze investor documents and update database.	4.75	\$150.00/hr	712.50
4/14/2022	ML	Review transactions.	1.00	\$375.00/hr	375.00
4/22/2022	ML	McGregor affidavit. Discussion with counsel.	1.25	\$375.00/hr	468.75
4/25/2022	ML	Finalize McGregor affidavit.	1.00	\$375.00/hr	375.00
4/27/2022	GMS	Document review of UH default documents. Telephone call with counsel.	4.25	\$400.00/hr	1,700.00
4/28/2022	GMS	Draft/revise report.	3.75	\$400.00/hr	1,500.00

Gary Schwartz

Page 2

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
4/28/2022 GMS Telephone call with counsel re: Chase Bank and tax issues.	2.25	\$400.00/hr	900.00
ML Review receiver report.	0.50	\$375.00/hr	187.50
4/29/2022 GMS Document review of claims calculations and vendor listings.	3.75	\$400.00/hr	1,500.00
4/30/2022 BM April time - 5.0 hrs.	5.00	\$275.00/hr	<u>1,375.00</u>
For professional services rendered			\$11,531.25
Additional Charges :			
4/19/2022 Letter to IRS - Certified RR			7.33
4/30/2022 Photocopies.			3.50
Color copies.			4.50
Scanned documents.			15.50
Faxes..			2.00
Letter to IRS - Certified RR			<u>7.33</u>
Total costs			\$40.16
Total amount of this bill			<u>\$11,571.41</u>
Previous balance			\$15,091.91
Balance due			<u><u>\$26,663.32</u></u>

June 2, 2022

Gary Schwartz
BCLS

In Reference To: Ray Receivership - Matter #76801
Invoice # 17611

Professional services rendered:

			<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
5/3/2022	KH	Review and analyze investor documents and update database.	3.00	\$150.00/hr	450.00
5/6/2022	ML	Analyze claims. Discussion with G. Schwartz.	1.00	\$375.00/hr	375.00
5/10/2022	ML	Analyze claims. Discussion with G. Schwartz.	3.50	\$375.00/hr	1,312.50
5/11/2022	ML	Analyze claims and review documents.	1.00	\$375.00/hr	375.00
5/12/2022	ML	Review receiver reports.	1.50	\$375.00/hr	562.50
5/16/2022	ML	Discussion with K. Hagans. Review claims.	0.50	\$375.00/hr	187.50
	KH	Review and analyze investor and vendor documents and update database.	7.50	\$150.00/hr	1,125.00
5/17/2022	ML	Discussion with K. Hagans. Review claims.	0.50	\$375.00/hr	187.50
	KH	Review and analyze vendor documents and update database.	3.75	\$150.00/hr	562.50
5/19/2022	KH	Prepare binder of vendor claims and supporting documents. Review with B. Mellenthin.	4.50	\$150.00/hr	675.00
5/20/2022	ML	Discussion with B. Mellenthin.	0.75	\$375.00/hr	281.25

Gary Schwartz

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
5/24/2022 GMS Document review in preparation for emergency hearing. Update spreadsheets.	5.25	\$400.00/hr	2,100.00
5/25/2022 GMS Meeting with counsel re: [REDACTED]	2.25	\$400.00/hr	900.00
5/26/2022 GMS Site visit to all UH assets. Meeting with employees. .	7.25	\$400.00/hr	2,900.00
GMS Document review of various inventory and accounting issues.	2.00	\$400.00/hr	800.00
5/27/2022 GMS Hearing attendance.	5.00	\$400.00/hr	2,000.00
GMS Data review and analysis of payroll and inventory information.	1.75	\$400.00/hr	700.00
			<hr/>
For professional services rendered			\$15,493.75
Additional Charges :			
5/31/2022 Photocopies.			56.10
Color copies.			2.00
Scanned documents.			2.00
			<hr/>
Total costs			\$60.10
Total amount of this bill			<hr/> \$15,553.85
Previous balance			\$26,663.32
Balance due			<hr/> <hr/> \$42,217.17

Betzer Call Lausten & Schwartz, LLP
 633 Seventeenth Street
 Suite 2250
 Denver, CO 80202
 FEIN: 84-1521553

July 7, 2022

Gary Schwartz
 BCLS

In Reference To: Ray Receivership - Matter #76801
 Invoice # 17631

Professional services rendered:

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
6/30/2022 BM June time - 1.5 hrs.	1.50	\$275.00/hr	<u>412.50</u>
For professional services rendered			\$412.50
Additional Charges :			
6/30/2022 Photocopies.			4.00
Color copies.			5.50
Scanned documents.			<u>7.00</u>
Total costs			\$16.50
Total amount of this bill			<u>\$429.00</u>
Previous balance			\$42,217.17
Balance due			<u><u>\$42,646.17</u></u>

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

DATE FILED: July 14, 2022 3:58 PM
FILING ID: 7998FD465A92A
CASE NUMBER: 2019CV33770

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: January 20, 2022
Invoice No. 190857
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
12/01/2021	KAR	Prepare for motion to compel argument; review and redact invoices for fee application.	4.50	1,462.50
12/02/2021	JAC	Telephone conference with R. Page; emails with K Hagans; review new investor spreadsheets; emails with H. Nasrullah; confer with KR	3.00	1,485.00
	KAR	Prepare for and attend motion to compel; review and redact invoice from BCLS for fee application.	4.00	1,300.00
	JS	Communications regarding Bellco hearing.	0.20	95.00
	MRD	Review revised BCLS Investor spreadsheets; update tracking logs.	0.20	30.00
12/03/2021	JAC	Telephone conference with Betensky; confer with KR; emails with K Hagans; Telephone conference with BCLS; Telephone conference with counsel for Keybank	3.00	1,485.00
	JS	Call regarding [REDACTED] and communications regarding [REDACTED], [REDACTED]	0.70	332.50
12/06/2021	JAC	Telephone conference with J Weis; confer with KR; emails with K Hagans; review new forensic spreadsheets; emails with A Johnson; Telephone conference with Keybank attorneys	3.25	1,608.75
	KAR	Call with [REDACTED], draft conferral email to counsel for Bellco, draft motion for extension of time for Betensky, draft various settlement agreements, review and send personal financial statements to various investors.	2.20	715.00
	JS	Communications regarding [REDACTED].	0.80	380.00
	MRD	Update tracking logs; upload pleadings and post; contact website		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 01/20/2022
 Statement No. 190857
 Page No. 2

			Hours	
		master regarding issues.	0.70	105.00
12/07/2021	JAC	Telephone conference with Keybank attorneys; Telephone conference with client; confer with KR and JS; emails with A Johnson; emails with K Hagans; review new investor spreadsheets; emails with investors' lawyers	3.75	1,856.25
	KAR	Discuss [REDACTED] with JAC and JMS; review order on motion for extension of time.	1.00	325.00
	JS	Communications regarding [REDACTED].	0.70	332.50
	MRD	Upload pleadings to website; email communication with web master.	0.20	30.00
12/08/2021	JAC	Emails with [REDACTED]; emails with client; confer with KR; review new investor documents and information; emails with MRD; emails with K Hagans	3.00	1,485.00
	KAR	Draft settlement agreements; attention to emails with various investors.	2.00	650.00
	MRD	Update tracking logs.	0.40	60.00
12/09/2021	JAC	Analyze investor claims and claw back responses; confer with KR; revise settlement agreement; Telephone conference with K Hagans; Telephone conference with C Lear	3.25	1,608.75
	KAR	Call with counsel for investors, discuss same with JAC. Confer with JAC on various open matters.	1.00	325.00
12/10/2021	JAC	Confer with KR; emails with MRD; review new forensic reports; emails with investors' lawyers	2.50	1,237.50
	KAR	Revise [REDACTED] and motion for approval to include JAC edits; discuss same with JAC.	0.70	227.50
	JS	Communications regarding Bellco.	0.30	142.50
12/13/2021	KAR	Draft settlement agreement; attention to emails regarding investors.	0.50	162.50
	JAC	Emails with A Johnson; analyze claw back responses and new documentation; emails with K Hagans; numerous emails with investors' lawyers	2.75	1,361.25
	JS	Communications regarding Bellco.	0.10	47.50
	MRD	Upload pleading to website.	0.20	30.00
12/14/2021	JAC	Emails with A Johnson; analyze claw back responses and new documentation; emails with K Hagans; confer with KR	2.50	1,237.50
	KAR	Draft settlement agreements; tolling agreements; call with investors;		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 01/20/2022
 Statement No. 190857
 Page No. 3

			Hours	
		follow up emails with investors; confer on case with JAC.	3.00	975.00
	MRD	Update tracking logs.	0.30	45.00
12/15/2021	JAC	Numerous emails with investors' lawyers; confer with KR; Telephone conference with DOJ attorneys; analyze claw back responses	2.75	1,361.25
	JS	Communications regarding [REDACTED].	0.20	95.00
	KAR	Email with counsel for Belco regarding conferral on document production; review emails from investors.	1.50	487.50
12/16/2021	JAC	Emails with MRD; emails with R. Page; analyze claw back responses and new documentation; confer with KR	2.75	1,361.25
	MRD	Telephone conversation with H. Squire; email communication with K. Roush.	0.20	30.00
	KAR	Attention to emails from investors; confer with JAC; Call with [REDACTED] regarding settlement agreement edits and changes. Draft motion to approve settlements. Review Jepsen documents.	1.70	552.50
12/17/2021	KAR	Review Jepsen checks. Discuss same with JAC.	1.00	325.00
12/20/2021	JAC	Confer with KR; emails with investors' lawyers; emails with DOJ lawyers; analyze claw back responses	2.75	1,361.25
	JS	Communications regarding DOJ intervention.	0.20	95.00
	KAR	Email [REDACTED]; revise motion to approve settlement agreements and send same to JAC; consider motion to intervene; draft settlement agreements. Email with Belco attorney.	1.50	487.50
12/21/2021	JAC	Emails with A Johnson; analyze claw back responses and new documents; confer with KR; work on motion to approve claw back settlements	2.75	1,361.25
	KAR	Draft settlement agreements, file motion to approve settlement.	1.20	390.00
12/22/2021	JAC	Emails with investors' lawyers; confer with KR; analyze claw back responses and new documents	2.25	1,113.75
12/23/2021	JAC	Emails with E. McGregor; review new documents; emails with MRD and KR; review investor spreadsheets	2.00	990.00
	MRD	Update tracking logs; upload pleading to website and post.	0.40	60.00
12/27/2021	JAC	Emails with investors' lawyers; analyze claw back claims and responses; Telephone conference with client; confer with KR; review Chase settlement agreement	2.00	990.00
	MRD	[REDACTED] as a Subpoena		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 01/20/2022
 Statement No. 190857
 Page No. 4

			Hours	
		responsive document pursuant to DOJ request; email communication with Centurion regarding uploading documents to database.	0.40	60.00
12/28/2021	JAC	Confer with KR; numerous emails with investors' lawyers; analyze claw back responses and new documentation	2.50	1,237.50
	MRD	Review additional McGregor backup; forward McGregor backup to BCLS; update tracking logs.	0.60	90.00
12/29/2021	JAC	Review new documents; Telephone conference with J Bernstein; confer with KR; numerous emails with investors' lawyers; emails with MRD	2.75	1,361.25
	KAR	Call with JAC to update on all cases; call with Darryl Raub, draft motion to extend his deadline, call with investors.	2.00	650.00
12/30/2021	KAR	Review offer from Carbone.	0.20	65.00
12/31/2021	MRD	Telephone conversation with M. Lowderman; email communication with J. Chanin.	0.20	30.00
		Total Fees	<u>84.50</u>	<u>35,692.50</u>

Expenses

12/01/2021		Online legal research - November - Thomson Reuters - West		950.79
12/07/2021		Filing fee - EXHIBIT 1 TO THIRD APPLICATION FOR PROFESSIONAL FEES, EXHIBIT 2 TO THIRD APPLICATION FOR PROFESSIONAL FEES, THIRD APPLICATION FOR PROFESSIONAL FEES (w/attach) - Colorado Interactive (ICCES)		12.00
12/07/2021		Service fee - EXHIBIT 1 TO THIRD APPLICATION FOR PROFESSIONAL FEES, EXHIBIT 2 TO THIRD APPLICATION FOR PROFESSIONAL FEES, THIRD APPLICATION FOR PROFESSIONAL FEES (w/attach) - Colorado Interactive (ICCES)		12.00
12/07/2021		Filing fee - UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT, PROPOSED ORDER RE: UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT - Colorado Interactive (ICCES)		12.00
12/22/2021		Filing fee - Proposed Order GRANTING RECEIVER'S MOTION TO APPROVE SETTLEMENT AGREEMENTS, RECEIVER'S MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
12/22/2021		Service fee - Proposed Order GRANTING RECEIVER'S MOTION TO APPROVE SETTLEMENT AGREEMENTS, RECEIVER'S MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
		Total Expenses		<u>1,010.79</u>

Total Fees & Expenses for Current Month 36,703.29

Previous Balance \$287,871.22

EXHIBIT 2

Gary Schwartz
Account No. 23998.0003
RE: Receiver, Case No. 2019CV33770

Statement Date: 01/20/2022
Statement No. 190857
Page No. 5

Payments

12/15/2021 Thank you - Payment on account -287,719.78

Balance Due \$36,854.73

Aged Due Amounts

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
36,703.29	151.44	0.00	0.00	0.00	0.00

Your retainer account balance is

	Opening Retainer Balance	\$0.00
12/29/2021	Wire from Jones & Keller PC reference Robert Brody	47,500.00
01/20/2022	Wire to client per KAR/JAC PAYEE: Mark Ray Receivership	-47,500.00
	Closing Retainer Balance (Please do not pay)	<u>\$0.00</u>

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* **Invoice total due upon receipt**

* **Cost/Advances may include an additional Denver city use tax of 4.81%**

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: February 8, 2022
Invoice No. 191161
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
01/03/2022	JAC	Analyze claw back responses; work on settlement agreements; confer with KR	2.00	990.00
	KAR	update call with JAC.	0.50	162.50
01/04/2022	KAR	Draft settlement agreements; call with Darryl Raub; review documents.	2.00	650.00
	JAC	Confer with KR; work on settlement agreements; review new investor documents; emails with A Johnson	2.00	990.00
	MRD	Email communication regarding Raub production.	0.10	15.00
01/05/2022	JAC	Confer with KR; numerous emails with investors' lawyers; review new documentation; emails with A Johnson; analyze claw back responses; review and revise settlement agreements	2.75	1,361.25
	KAR	Draft settlement agreements; draft complaint against McGregor; email investors; confer with JAC; exchange emails with Mike Mullen; review documents.	4.20	1,365.00
01/06/2022	KAR	Exchange emails with Raub; follow up on settlements, email with counsel for Chase regarding upcoming scheduling conference.	1.70	552.50
	JS	Communications regarding Throgmartin settlement. Review of Throgmartin documents.	0.50	215.00
	JAC	Emails with investors' lawyers; work on McGregor complaint; confer with KR; review Throgmartin personal financial statement	3.00	1,485.00
	MRD	Update tracking logs.	0.10	15.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 02/08/2022
 Statement No. 191161
 Page No. 2

			Hours	
01/07/2022	JAC	Confer with KR; Telephone conference with DOJ attorneys; work on settlement agreements; analyze claw back responses and investor spreadsheets	2.75	1,361.25
	KAR	Call with Bellco counsel regarding document requests.	0.80	260.00
01/10/2022	LWW	Prepare and file summons, civil case cover sheet and exhibits for clawback complaint against Eric McGregor	0.75	75.00
	KAR	attention to settlement agreements; call with A. Johnson; call with JAC on status updates.; finalize and file McGregor clawback complaint.	1.40	455.00
	MRD	Research cash flow spreadsheets per J. Chanin's request; email communication with J. Chanin; database coding.	0.80	120.00
01/11/2022	KAR	attention to settlements with investors; emails with opposing counsel.	1.20	390.00
	MRD	Research Universal Herbs' Cash Flow Activity reports.	0.40	60.00
	JAC	Confer with KR; emails with MRD; work on DOJ document request; analyze claw back responses and new documents	2.75	1,361.25
01/12/2022	JAC	Confer with KR; Telephone conference with D Raub; emails with investors' lawyers; track pending settlements and claw back demands	2.75	1,361.25
	KAR	Draft dismissal of Huls; calls with Estate creditors; call with investors.	1.60	520.00
	MRD	Upload pleadings to website and post.	0.30	45.00
01/14/2022	JAC	Emails with A. Johnson; emails with client; review new investor documentation; work on DOJ document request; emails with MRD; confer with KR	2.75	1,361.25
01/17/2022	JAC	Work on settlement agreements; review new documents from investors; analyze claw back responses; confer with KR	2.50	1,237.50
	KAR	Attention to emails from investors, client.	0.60	195.00
01/18/2022	JAC	Emails with G Betensky; confer with KR; emails with HSB; review and revise Chase scheduling order; analyze claw back responses	1.75	866.25
	KAR	Draft scheduling order for Chase; revise settlement agreements.	2.30	747.50
	JS	Communications regarding Henderson, Chase.	0.40	172.00
01/19/2022	JAC	Telephone conference with G. Betensky; analyze claw back responses; emails with D. Stier; confer with KR; emails with M. Mullen; emails with client; review UH cash logs	2.75	1,361.25
	KAR	Call with investors.	1.00	325.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 02/08/2022
 Statement No. 191161
 Page No. 3

			Hours	
01/20/2022	JAC	Emails with investors' lawyers; work on Chase scheduling order; confer with KR; emails with A Johnson; review new documentation	1.75	866.25
	JS	Communications regarding Chase and Bellco matters.	0.50	215.00
	KAR	Call with Mike Mullen regarding Throgmartin settlement; reivew and revise Chase's mark up on scheduling order and send email regarding same; emails regarding settlements with investors; review BellCo's mark up of protective order' call with Darrell Raub regarding settlement.	3.00	975.00
	MRD	Additional research in database regarding Cash Flow records; upload pleading to website.	0.40	60.00
01/21/2022	JS	Communications regarding Chase scheduling conference and order.	0.50	215.00
	KAR	Call with counsel for Bellco regarding modifications to protective order. Call with counsel for chase regarding scheduling order. Review stipulation to dismiss without prejudice.	1.70	552.50
	JAC	Emails with investors' lawyers; confer with KR; emails with client; work on Chase scheduling order	2.25	1,113.75
	MRD	Email communication with G. Schwartz regarding daily cash logs.	0.20	30.00
01/23/2022	MRD	Update tracking logs.	0.20	30.00
01/24/2022	JAC	Numerous emails with investors' lawyers; confer with KR; analyze new documentation	2.00	990.00
	KAR	Call with M. Lausten; draft motion for extension; email with ██████████ regarding settlement.	1.60	520.00
	JS	Communications regarding ██████████.	0.20	86.00
01/25/2022	JAC	Review new investor documentation; emails with A Johnson; analyze claw back responses; emails with client	2.25	1,113.75
	JS	Communications regarding Throgmartin.	0.20	86.00
01/26/2022	JAC	Emails with A Johnson; review new investor documentation; confer with KR; Telephone conference with M. Mullen	2.50	1,237.50
	JS	Communications regarding Chase motion to restrict, scheduling conference.	0.30	129.00
	KAR	Draft motion to approve settlements; revise settlements.	1.40	455.00
01/27/2022	KAR	Draft settlement agreements, pleadings for various cases.	2.50	812.50
	JAC	Telephone conference with client; emails with A Johnson; review new investor documentation; emails with MRD; confer with KR; review		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 02/08/2022
 Statement No. 191161
 Page No. 4

		Hours	
	personal financial statements; work on claw back settlements	2.75	1,361.25
MRD	Update tracking logs; database coding; research and pull copies of R. Darby checks per A. Johnson's request; email communication with J. Chanin.	2.40	360.00
JS	Communications regarding [REDACTED].	0.40	172.00
KAR	Call with Darrell Raub; review financial affidavit of same; attention to settlement agreements with investors.	1.90	617.50
01/28/2022	JAC Emails with A Johnson; emails with MRD; emails with K Hagans; review new investor spreadsheets; confer with KR; analyze claw back responses; emails with investors' lawyers	2.25	1,113.75
	MRD Update tracking logs.	0.20	30.00
	KAR Attend scheduling conference; follow up on settlement agreements, status.	2.00	650.00
	JS Chase scheduling conference and communications regarding same.	0.90	387.00
01/31/2022	JAC Emails with Betensky; emails with A Johnson; Telephone conference with Betensky; confer with KR; analyze new investor documentation; emails with K Hagans	2.50	1,237.50
	MRD Upload pleading to website and post; review various settlement agreements and update tracking logs; email communication with J. Chanin.	0.70	105.00
	KAR Follow up on various settlements; litigation.	1.30	422.50
	Total Fees	89.15	36,019.50

Expenses

01/03/2022	Online legal research - Q4 Usage - Pacer Service Center	9.50
01/03/2022	Filing fee - Proposed ORDER RE: SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT,SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT - Colorado Interactive (ICCES)	12.00
01/11/2022	Filing fee - Exhibit to Complaint - 1,Exhibit to Complaint - 5,Summons,Exhibit to Complaint - 4,Exhibit to Complaint - 2,Civil Case Cover Sheet,Exhibit to Complaint - 3,Exhibit to Complaint - 7,Exhibit to Complaint - 6,Complaint and Jury Demand - Colorado Interactive (ICCES)	12.00
01/11/2022	Statutory fee - Complaint and Jury Demand - Colorado Interactive (ICCES)	466.00
01/12/2022	Filing fee - Civil Case Cover Sheet - Colorado Interactive (ICCES)	12.00
01/13/2022	Filing fee - NOTICE OF DISMISSAL WITH PREJUDICE UNDER CRCP 41(a)(1)(A) - Colorado Interactive (ICCES)	12.00
01/13/2022	Filing fee - THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT,Proposed ORDER RE: THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME FOR	

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 02/08/2022
 Statement No. 191161
 Page No. 5

	DEFENDANT TO RESPOND TO COMPLAINT - Colorado Interactive (ICCES)	12.00
01/18/2022	Process Service on Eric McGregor - Proof	85.60
01/19/2022	Filing fee - Affidavit of Service - Served Summons, Complaint, Civil Cover Sheet, Delay Reduction Order, and Exhibits 1-7 on Eric McGregor on January 18, 2022 - Colorado Interactive (ICCES)	12.00
01/20/2022	Shipping from FGMC to Daryl Raub - Federal Express	37.02
01/26/2022	Filing fee - SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT,(Proposed) ORDER RE: SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME FOR DEFENDANT TO RESPOND TO COMPLAINT - Colorado Interactive (ICCES)	12.00
01/28/2022	Shipping from FGMC to Darrell Raub - Federal Express	37.27
01/31/2022	Filing fee - RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT,Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)	12.00
01/31/2022	Service fee - RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT,Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)	12.00
01/31/2022	Filing fee - PLAINTIFFS MOTION FOR ENTRY OF CLERKS DEFAULT AGAINST DEFENDANT PURSUANT TO C.R.C.P. 55(a),Proposed ORDER ENTERING ENTRY OF CLERKS DEFAULT AGAINST DEFENDANT PURSUANT TO C.R.C.P. 55(a) - Colorado Interactive (ICCES)	12.00
	Total Expenses	<u>755.39</u>
	Total Fees & Expenses for Current Month	36,774.89
	Previous Balance	\$36,854.73
	Balance Due	<u><u>\$73,629.62</u></u>

<u>Aged Due Amounts</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
73,478.18	0.00	151.44	0.00	0.00	0.00

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* **Invoice total due upon receipt**

* **Cost/Advances may include an additional Denver city use tax of 4.81%**

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: March 6, 2022
Invoice No. 192257
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

			<u>Fees</u>		
				Hours	
02/01/2022	JAC	Emails with A Johnson; analyze [REDACTED]; confer with KR		2.50	1,237.50
	KAR	Draft settlement agreement for Throgmartin.		0.90	292.50
	JS	Communications regarding Bellco protective order, Throgmartin settlement.		0.30	129.00
02/02/2022	JS	Communications regarding Chase litigation.		0.30	129.00
	JAC	Confer with KR; review new investor documents; emails with A Johnson; emails with Betensky		2.00	990.00
02/03/2022	JS	Communications regarding Throgmartin, Chase.		0.40	172.00
	KAR	Review documents from Schnoor; draft settlement agreement for Mullen; discuss same with JAC, EJH.		1.50	487.50
	JAC	Telephone conference with A Johnson; emails with K Hagans; review new investor documentation; emails with MRD; confer with KR; emails with client		3.00	1,485.00
	MRD	Update tracking logs.		0.10	15.00
02/04/2022	JAC	Review and revise Throgmartin settlement agreement; confer with KR; emails with client; emails with investors' lawyers;		2.75	1,361.25
	JS	Review Throgmartin settlement agreement.		0.30	129.00
	MRD	Update tracking logs.		0.10	15.00
02/07/2022	JAC	Review new forensic spreadsheets; analyze new investor documents;			

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 03/06/2022
 Statement No. 192257
 Page No. 2

			Hours	
		emails with Betensky; emails with A Johnson; confer with KR; emails with client; review UH payments	2.75	1,361.25
	KAR	Draft settlement agreements; communicate with investors, confer on case with JAC.	2.00	650.00
	JS	Communications regarding protective order. Communications regarding Universal Herbs default.	0.90	387.00
	MRD	Update tracking logs.	0.10	15.00
02/08/2022	JAC	Emails with investors' lawyers; Telephone conference with B. Mellinthen and JS; review UH payment spreadsheets; analyze claw back responses	2.00	990.00
	KAR	Draft settlement agreement; revise same.	1.90	617.50
	JS	Call with B. Mellenthin regarding Universal Herbs and preparations for same.	0.80	344.00
02/09/2022	JAC	Review APA and promissory notes for UH; revise demand letter; confer with JS; emails with client; analyze claw back responses	2.00	990.00
	JS	Drafting and communications regarding Universal Herbs notice of default.	1.20	516.00
02/10/2022	JAC	Analyze claw back responses and new documentation; emails with A Johnson; confer with KR;	2.75	1,361.25
02/11/2022	JAC	Review new investor documentation	1.75	866.25
02/14/2022	JAC	Emails with client; confer with KR; work on claw back settlements	0.75	371.25
	JS	Finalizing and sending Universal Herbs notice of default.	0.60	258.00
02/16/2022	MRD	Upload pleadings to website and post.	0.30	45.00
02/18/2022	JAC	Confer with KR; emails with A Johnson; analyze investor responses; review new investor documentation	2.00	990.00
	KAR	Address settlements with various investors, draft updates for court.	1.50	487.50
02/22/2022	MRD	Upload pleadings to website and post; update tracking logs.	0.40	60.00
	KAR	Follow up with investors regarding settlements.	0.90	292.50
02/23/2022	JAC	Analyze claw back responses and investor documentation; emails with A Johnson; confer with KR; review Throgmartin email and Diego information	2.25	1,113.75
02/24/2022	JAC	Analyze Ray family spreadsheets and documents; Telephone conference with A Johnson and Ray family; confer with KR	2.75	1,361.25

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 03/06/2022
 Statement No. 192257
 Page No. 3

			Hours	
02/25/2022	JS	Communications regarding Universal Herbs status.	0.40	172.00
02/28/2022	JAC	Review UH APA and related documents; emails with client and J Gonnell; Telephone conference with client and J Gonnell; confer with JS regarding default letter regarding UH; confer with KR; emails with investors' lawyers	2.00	990.00
		Total Fees	46.15	20,682.25

Expenses

02/07/2022		Filing fee - PROPOSED ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
02/07/2022		Service fee - PROPOSED ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
02/14/2022		Shipping from FGMC to John Kaweske, Titan Health, LLC - Federal Express		23.07
02/16/2022		Filing fee - NOTICE OF SETTLEMENT - Colorado Interactive (ICCES)		12.00
02/22/2022		Filing fee - Plaintiff's Notice of Dismissal - Colorado Interactive (ICCES)		12.00
02/23/2022		Filing fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
02/23/2022		Service fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS - Colorado Interactive (ICCES)		12.00
02/28/2022		Postage - February		0.53
		Total Expenses		95.60

Total Fees & Expenses for Current Month 20,777.85

Previous Balance \$73,629.62

Balance Due \$94,407.47

Aged Due Amounts

0-30	31-60	61-90	91-120	121-180	181+
57,552.74	36,703.29	0.00	151.44	0.00	0.00

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* **Invoice total due upon receipt**

* **Cost/Advances may include an additional Denver city use tax of 4.81%**

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz
Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: April 8, 2022
Invoice No. 193672
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
03/01/2022	JAC	Emails with client; review UH MED application and paperwork; review security agreement; emails with Welby; confer with KR	1.75	866.25
	KAR	Revise protective order for BellCo; attention to motion approving settlement.	2.00	650.00
03/02/2022	JAC	Review UH sale documents; review Titan payments; emails with J Gonnell; confer with JS	1.50	742.50
03/03/2022	JAC	Review new investor documentation; confer with KR; analyze claw back responses and settlements	2.00	990.00
03/04/2022	JAC	Review new investor documentation; Telephone conference with M. Mullen; work on Throgmartin settlement; confer with KR	2.50	1,237.50
03/07/2022	JAC	Emails with A Johnson; confer with KR; analyze new investor documents; review settlement agreements	1.75	866.25
03/08/2022	JAC	Confer with KR; emails with client; review new forensic spreadsheets	1.50	742.50
03/09/2022	JAC	Analyze claw back responses and new documents; review claim forms	1.50	742.50
	JS	Discussion of [REDACTED].	0.30	129.00
03/10/2022	JAC	Confer with KR; review UH UCC-1 and security agreement; track claw back claims and status; emails with B Hoffman	1.75	866.25
	JS	Communications regarding Belco protective order status and strategy.	0.30	129.00
03/11/2022	JS	Communications regarding Belco protective order status and		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 04/08/2022
 Statement No. 193672
 Page No. 2

			Hours	
		strategy.	0.50	215.00
03/14/2022	JAC	Review new investor documentation	1.00	495.00
	JS	Drafting and communications regarding Belco protective order.	0.50	215.00
	MRD	Upload pleading to website and post.	0.20	30.00
03/15/2022	JAC	Emails with A Johnson; update log of clawback demands and payment status; confer with KR; emails with client	1.50	742.50
	KAR	Attention to emails from investors in scheme.	0.90	292.50
03/16/2022	JAC	Work on Diego Pelicer assignment; emails with E. Husney; confer with KR; emails with M Mullens; work on Throgmartin settlement agreement	1.75	866.25
	KAR	Respond to Brian Hoffman; attention to settlement payments.	1.50	487.50
03/17/2022	KAR	Attention to Throgmartin settlement.	1.00	325.00
03/18/2022	JAC	Review claims and requests for more information	2.00	990.00
03/21/2022	JAC	Confer with KR; confer with E. Husney regarding Diego; emails with M. Mullen; work on Throgmartin settlement	2.50	1,237.50
	EJH	Telephone conference with Nello Gonfiantini;	0.50	212.50
	KAR	Discuss Throgmartin settlement agreement with JAC; revise same. Emails with investors.	1.00	325.00
03/22/2022	JAC	Confer with JS; work on notice of default to Titan; Telephone conference with client; confer with KR; Telephone conference with D Furtado; Telephone conference with Diego Pellicer; Emails with Furtado.	2.00	990.00
	JS	Drafting and communications regarding Universal Herbs irrevocable default.	0.80	344.00
	KAR	Emails with investors on status of case.	1.00	325.00
03/23/2022	JS	Communications regarding UH response to notice of irrevocable default.	0.40	172.00
	KAR	emails with investors.	0.40	130.00
03/31/2022	JAC	Emails with A Johnson; review claw back claims status, settlements, and payments; emails with client; emails with MRD	1.50	742.50
	MRD	Update tracking log.	0.10	15.00
		Total Fees	37.90	17,114.00

EXHIBIT 2

Gary Schwartz
Account No. 23998.0003
RE: Receiver, Case No. 2019CV33770

Statement Date: 04/08/2022
Statement No. 193672
Page No. 3

Expenses

03/01/2022	Outside professional fee - Web Hosting 11/20/21-11/20-22 - Kelly Digital Solutions	1,800.00
03/10/2022	Filing fee - (PROPOSED) ORDER ENTERING ENTRY OF CLERKS DEFAULT AGAINST DEFENDANT, PLAINTIFF'S MOTION FOR ENTRY OF CLERK'S DEFAULT AGAINST DEFENDANT - Colorado Interactive (ICCES)	12.00
03/22/2022	Shipping from FGMC to John Kaweske, Titan Health, LLC - Federal Express	23.93
03/23/2022	Filing fee - PLAINTIFFS NOTICE OF DISMISSAL - Colorado Interactive (ICCES)	12.00
03/31/2022	Postage - March	0.53
	Total Expenses	<u>1,848.46</u>
	Total Fees & Expenses for Current Month	18,962.46
	Previous Balance	\$94,407.47
	Balance Due	<u><u>\$113,369.93</u></u>

<u>Aged Due Amounts</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
18,962.46	57,552.74	36,703.29	0.00	151.44	0.00

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* **Invoice total due upon receipt**

* **Cost/Advances may include an additional Denver city use tax of 4.81%**

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: May 6, 2022
Invoice No. 194704
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
04/04/2022	JAC	Emails with MRD; work on Throgmartin settlement and Diego issues; confer with KAR; emails with M. Mullen.	1.50	742.50
04/05/2022	JAC	Confer with KAR; telephone conference with M. Mullen.	0.75	371.25
	KAR	Call with Michael Mullen regarding Throgmartin settlement; follow up on same with JAC.	0.50	162.50
	MRD	Update tracking log; review claim status; review Throgmartin Settlement.	1.40	210.00
04/06/2022	JS	Communications regarding Universal Herbs.	0.20	86.00
	JAC	Review claims filed and new documentation.	1.00	495.00
	KAR	Finalized Bellco PO.	2.00	650.00
	MRD	Update files/records regarding claims; prepare for meeting with J. Chanin and K. Roush regarding claims.	0.60	90.00
04/07/2022	JAC	Review claw back status log; review investor claims; emails with K. Hagans; team meeting regarding claims review and resolution process; emails with M. McCarthy.	3.50	1,732.50
	KAR	Meet with JAC and M. Davies regarding claims adjudication process; email with investors on same.	2.70	877.50
	MRD	Prepare for and attend meeting with J. Chanin and K. Roush regarding claims and status of clawback litigation; upload pleading to website and post; revise claims tracking log; review historic plans of distribution.	4.00	600.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 05/06/2022
 Statement No. 194704
 Page No. 2

			Hours	
04/08/2022	JAC	Telephone conference with [REDACTED]; emails with MRD; confer with KAR; review [REDACTED]; [REDACTED]; analyze claw back responses and investor documentation; work on individual investor spreadsheets.	3.00	1,485.00
	KAR	Review [REDACTED], discuss same with JAC.	1.50	487.50
	MRD	Continue review of claims and update tracking log; finalize Cornelius demand letter; database review of bank records pursuant to DOJ request; email communication J. Chanin.	1.70	255.00
	LWW	Mailing clawback demand to Jane Cornelius.	0.20	20.00
04/11/2022	JAC	Confer with KAR; emails with M. McCarthy; emails with D. Stier; emails with client; emails with K. Hagans; review/revise individual investor spreadsheets; review new investor documentation; work on production to DOJ; telephone conference with D. Stier.	4.00	1,980.00
	KAR	Attention to investors; draft status report, draft motion to approve settlement, communicate with Mike Mullen; call with DOJ.	2.00	650.00
	MRD	Database research regarding DOJ Subpoena; email communication with Centurion; email communication with BCLS regarding additional backup; email communication with DOJ.	0.60	90.00
04/12/2022	JAC	Emails with K. Hagans and M. Lautsen; review new forensic spreadsheets; review new investor documentation; review claims; telephone conference with BCLS accountants.	4.25	2,103.75
	KAR	Draft motion for default judgment on McGregor; call with M. Lausten, K. Hagans, JAC, and M. Davies on claims update.	2.70	877.50
	MRD	Upload pleading to website and post; review Bellco Protective Order; update claims tracking log; email communication with Centurion; telephone conversation with M. Lausten, K. Hagans, J. Chanin, and K. Roush.	1.90	285.00
	LWW	Finalized and filed Joint Status report regarding subpoenas.	0.20	20.00
04/13/2022	JAC	Review and tentatively adjudicate claims.	5.00	2,475.00
	MRD	Database management regarding Cornerstone bank documents for DOJ production; email communication and telephone conversation with Centurion; email communication with K. Hagans regarding database review; prepare letter to DOJ forwarding responsive documents.	1.40	210.00
	LWW	Reviewed and downloaded court documents and orders for related Henderson State Bank v. Hirschfeld case.	0.40	40.00
04/14/2022	JAC	Review claims; confer with KAR regarding Throgmartin settlement;		

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 05/06/2022
 Statement No. 194704
 Page No. 3

			Hours	
		work on settlement agreement; emails with MRD; emails with DOJ.	3.00	1,485.00
	KAR	Revise Throgmartion settlement agreement; research [REDACTED]; review claims.	3.40	1,105.00
	MRD	Email communication with DOJ forwarding links to Subpoena production.	0.30	45.00
04/15/2022	LWW	Finalized and filed Motion to Approve Settlement re Spellings.	0.40	40.00
04/18/2022	JAC	Emails with K. Hagans; review new forensic accounting reports; review claims; review Henderson State Bank lawsuit against Lowderman and Kolterman.	3.50	1,732.50
	KAR	Draft motion for default judgment against McGregor; discuss claims with JAC; attention to settlement payments and new bank account.	2.50	812.50
04/19/2022	JAC	Review and tentatively adjudicate claims; review expert disclosure in Throgmartin case; confer with KAR.	4.00	1,980.00
	MRD	Upload updated BCLS investor spreadsheets; update claims tracking log.	0.50	75.00
	KAR	Draft expert disclosure for Throgmartin. Begin draft of motion for default judgment.	2.00	650.00
04/20/2022	JAC	Review and tentatively adjudicate claims; confer with KAR.	3.25	1,608.75
	JS	Review R&R and communications regarding same.	0.70	301.00
	KAR	Review recommendation from magistrate on Chase Motion to Dismiss. Follow up with M. Mullin on Throgmartin settlement. Revise draft settlement accordingly. Draft Lausten affidavit in support of McGregor default judgment and draft motion supporting same.	3.80	1,235.00
04/21/2022	JAC	Review and follow-up on claims; emails with MRD.	3.50	1,732.50
	KAR	Review claims.	2.00	650.00
	KAR	Discuss objecting to recommendation with JAC, update on other matters.	0.30	97.50
04/22/2022	MRD	Update claims tracking log.	0.20	30.00
	KAR	Review claims; call with M. Lausten on draft affidavit; revise motion for default. discuss objection to recommendation with JMS.	3.30	1,072.50
04/25/2022	JAC	Review recommendation on Chase motion; review and revise Lausten affidavit; confer with KAR; review and tentatively adjudicate claims; emails with MRD.	3.00	1,485.00
	RGG	Conference with KAR regarding: UCC-1	0.25	103.75

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 05/06/2022
 Statement No. 194704
 Page No. 4

		Hours	
	LWW	Finalized and filed Motion for Default Judgment in McGregor clawback case.	0.20 20.00
	KAR	Finalize motion for default judgment for filing. Draft exhibits to Throgmartin settlement agreement. Work with RGG for UCC financing statement.	4.00 1,300.00
04/26/2022	JAC	Confer with KAR; work on response to Chase recommendation; review and tentatively adjudicate claims; review new forensic spreadsheets.	3.00 1,485.00
	RGG	Review Settlement Agreement and Mutual Release; Review Separation Agreement; Draft UCC-1 Financing Statement; conference with KAR regarding: same	1.00 415.00
	SJW	Review/analyze briefing regarding partial motion to dismiss and Magistrate Judge Recommendation in preparation for filing objection to Recommendation.	1.20 420.00
04/27/2022	SJW	Research and review of law related to ██████████ in preparation for assistance with objection to Magistrate Judge Recommendation relating to motion to dismiss filed by Defendant. Meet with JAC, KAR, CGS, and JMS regarding ██████████.	3.70 1,295.00
	JAC	Team meeting regarding Chase response; confer with KAR; review and adjudicate claims; work on receiver report.	2.50 1,237.50
	CGS	Conference with team regarding strategy for objection to magistrate recommendation; review/analyze materials regarding same; research law regarding ██████████.	3.70 1,665.00
	JS	Internal meeting regarding objecting to R&R.	0.80 344.00
	KAR	Draft receiver's report and circulate same. Meet with JAC, JMS, SJW, and CGS regarding objection to recommendation on standing. Confer on motion for extension.	3.00 975.00
04/28/2022	SJW	Research regarding ██████████ in preparation for objection to Magistrate Judge Recommendation related to Motion to Dismiss.	3.60 1,260.00
	JAC	Telephone conference with client; work on receiver report; confer with KAR; review new documentation.	1.75 866.25
	CGS	Review/analyze file materials and research law regarding ██████████.	6.50 2,925.00
	LWW	Finalized and filed Motion for Extension of time in Chase case.	0.20 20.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 05/06/2022
 Statement No. 194704
 Page No. 5

		Hours	
	LWW Calendaring and updated deadlines.	0.10	10.00
	KAR Draft motion for extension of time to object to recommendation. Call with client on same. Revise report to include M. Lausten edits. call with M. Mullin and revise settlement agreement accordingly. Call with creditor and investigate claim.	3.00	975.00
04/29/2022	SJW Research/review of cases relating to [REDACTED] [REDACTED] Communicate with CGS regarding same.	3.00	1,050.00
	CGS Review/analyze file materials and research law regarding [REDACTED] [REDACTED].	6.80	3,060.00
	Total Fees	134.95	52,559.75

Expenses

04/01/2022	Online legal research - Q1 Usage - Pacer Service Center		3.80
04/07/2022	Filing fee - MOTION FOR ENTRY OF STIPULATED PROTECTIVE ORDER,[PROPOSED] STIPULATED PROTECTIVE ORDER - Colorado Interactive (ICCES)		12.00
04/07/2022	Service fee - MOTION FOR ENTRY OF STIPULATED PROTECTIVE ORDER,[PROPOSED] STIPULATED PROTECTIVE ORDER - Colorado Interactive (ICCES)		12.00
04/08/2022	Shipping from FGMC to Ms. Jane Evans Cornelius - Federal Express		34.50
04/18/2022	Filing fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)		12.00
04/18/2022	Service fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENTS,RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)		12.00
04/20/2022	Shipping from FGMC to Gary Schwartz, Betzer Call Lausten- Schwartz - Federal Express		24.38
04/22/2022	*Case Access fee - Beacon Integrated Tech Inc et al v. Universal Herbs LLC et al - Colorado Interactive (ICCES)		15.72
04/26/2022	Filing fee - PLAINTIFFS MOTION FOR DEFAULT JUDGMENT w/ attach,Exhibit 2 to PLAINTIFFS MOTION FOR DEFAULT JUDGMENT,Proposed ORDER GRANTING PLAINTIFFS MOTION FOR DEFAULT JUDGMENT AGAINSTDEFENDANT ERIC MCGREGOR PURSUANT TO C.R.C.P. 55(b),Exhibit 1 to PLAINTIFFS MOTION FOR DEFAULT JUDGMENT,Exhibit 3 to PLAINTIFFS MOTION FOR DEFAULT JUDGMENT - Colorado Interactive (ICCES)		12.00
04/30/2022	Postage - April		7.53
04/30/2022	Online legal research - April - Thomson Reuters - West		404.93
	Total Expenses		550.86

Total Fees & Expenses for Current Month 53,110.61

Previous Balance \$113,369.93

Balance Due \$166,480.54

EXHIBIT 2

Gary Schwartz
Account No. 23998.0003
RE: Receiver, Case No. 2019CV33770

Statement Date: 05/06/2022
Statement No. 194704
Page No. 6

<u>Aged Due Amounts</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
72,073.07	0.00	57,552.74	36,703.29	151.44	0.00

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* Invoice total due upon receipt

* Cost/Advances may include an additional Denver city use tax of 4.81%

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: June 6, 2022
Invoice No. 195949
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
05/02/2022	JAC	Telephone conference with DOJ trial team; emails with MRD; emails with client; confer with KAR; review claims information and status.	1.25	618.75
	LWW	Finalized and filed Receivers Report.	0.20	20.00
	KAR	Revise and finalize report; file same. Address claim from Pinnacol and review same. Follow up on various payments and settlements with investors. Review filed claims.	4.50	1,462.50
	CGS	Research/analyze file materials and research law regarding [REDACTED].	5.10	2,295.00
	MRD	Email communication with attorney C. Neuman forwarding Cornelius Tolling Agreement; revise tolling agreement to include Neuman's contact information; email communication with Centurion regarding Confidential watermark on production for DOJ; email communication with DOJ; update claims tracking log with Pinnacol information; upload Receiver Report to website and post; upload pleading to website; review historic filings of claims.	1.40	210.00
05/03/2022	CGS	Research/analyze file materials and research law regarding [REDACTED].	5.60	2,520.00
	JAC	Review claims	1.00	495.00
	KAR	Follow up on investor payments; communicate about claim payout strategies.	0.50	162.50
05/04/2022	CGS	Draft objection to magistrate recommendation.	6.10	2,745.00
	JAC	Review claims	1.25	618.75

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
 Statement No. 195949
 Page No. 2

			Hours	
05/05/2022	SJW	Additional review/research regarding law related to receivership's scope of claims. Communicate with CGS regarding same.	2.30	805.00
	CGS	Draft objection to magistrate recommendation.	5.40	2,430.00
	JAC	Attention to claw back claims	0.50	247.50
	KAR	Call with Mike Mullen regarding settlement agreement; follow up on same with JAC and client; revise settlement agreement.	1.00	325.00
05/06/2022	JAC	Telephone conference with client; review Diego K1.	1.00	495.00
	CGS	Draft objection to magistrate recommendation.	6.00	2,700.00
	MRD	Email communication with K. Roush and J. Chanin; telephone conversation with B. Burkhart of DOJ; telephone conversation and email communication with Wintrust representative regarding Confidential watermark; database management regarding Wintrust documents; upload pleading to website; email communication with K. Roush and J. Chanin regarding Belco and Throgmartin production.	1.30	195.00
05/08/2022	SJW	Research regarding [REDACTED] to assist CGS in Objection to Magistrate Judge ruling on Motion to Dismiss.	0.80	280.00
05/09/2022	SJW	Continue research and summary of [REDACTED] Communicate with MMB regarding additional research assistance. Gather and send cases to MMB to assist in research regarding tort [REDACTED]	3.10	1,085.00
	JAC	Telephone conference with client; confer with KR re Throgmartin; review documents	1.50	742.50
	CGS	Draft objection to magistrate recommendation; research [REDACTED]	6.80	3,060.00
	KAR	Finalize Throgmartin settlement.	1.00	325.00
	MMB	Review briefing on motion to dismiss, magistrate's recommendation. Communications with SJW regarding research agenda for objection to magistrate's recommendation. Review cases and other authorities SJW forwarded.	2.20	715.00
05/10/2022	JAC	Emails with client; work on distribution plan; confer with KR; emails with MRD	1.50	742.50
	SJW	Confer with CGS regarding status of research and objection to Magistrate Judge Recommendation. Follow up research regarding various issues to address in objection, including [REDACTED]	3.00	1,050.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
 Statement No. 195949
 Page No. 3

			Hours	
	CGS	Draft objection to magistrate recommendation; research [REDACTED].	6.50	2,925.00
05/11/2022	SJW	Additional extensive research regarding [REDACTED] as well as additional cases which might be favorable to reference in our objection to Magistrate Judge's Recommendation to dismiss. Confer with CGS regarding same.	3.40	1,190.00
	CGS	Draft objection to magistrate recommendation.	6.80	3,060.00
	KAR	Draft joint status report and send same to SEC for approval. email with counsel for jane Conelius. Review claims.	1.00	325.00
	LWW	Finalized and filed Receivers Report in federal case	0.20	20.00
05/12/2022	CGS	Draft/revise objection to magistrate recommendation; research [REDACTED].	6.40	2,880.00
05/13/2022	SJW	Review of CGS draft of Objection with follow up discussion with CGS regarding same.	0.60	210.00
	CGS	Draft/revise objection to magistrate recommendation; research [REDACTED]	7.30	3,285.00
	MMB	Research for objection to magistrate's recommendation.	1.50	487.50
05/14/2022	CGS	Edit/revise draft objection to magistrate recommendation.	2.30	1,035.00
05/15/2022	CGS	Edit/revise draft objection to magistrate recommendation.	1.50	675.00
	SJW	Follow up research regarding remand issue pertaining to Objection to Magistrate Judge ruling per request of CGS.	1.50	525.00
05/16/2022	JAC	Review response to R&R on Chase; confer with KR; Telephone conference with client; work on complaint against Titan Health regarding UH sale	1.25	618.75
	SJW	Additional research regarding Objection to Magistrate Judge Recommendation, with focus upon [REDACTED] Communications with CGS regarding same.	4.70	1,645.00
	MMB	Research for objection to magistrate's recommendation. Conferences with CGS regarding same. Draft removal argument.	8.50	2,762.50
	CGS	Draft/substantially revise objection to magistrate recommendation.	5.20	2,340.00
	JS	Review of draft objection to R&R and communications regarding same.	0.40	172.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
 Statement No. 195949
 Page No. 4

			Hours	
	KAR	Review draft objection to recommendation to chase motion motion to dismiss. Follow up on settlement execution with client.	1.00	325.00
	MRD	Email communication with K. Roush; review Throgmartin and Bellco production; draft email communication with Centurion regarding Bellco and Throgmartin production.		
05/17/2022	MMB	Confer with CGS regarding draft objection. Supplement removal argument therein.	1.50	487.50
	CGS	Draft/revise/finalize objection to magistrate recommendation; research removal/remand jurisdiction.	4.70	2,115.00
	KAR	Confer on motion to file as restricted document and draft motion for same. review objection.	1.00	325.00
	MRD	Email communication with Centurion regarding Bellco production; email communication with BCLS forwarding Bellco production.	0.20	30.00
	LWW	Finalized and filed Motion to restrict and Objection to Magistrate's Recommendation (Chase)	0.40	40.00
05/18/2022	JAC	Telephone conference with client and J Gonnell regarding Titan default; work on Titan complaint and emergency motion for appointment of receiver; confer with KR and JS; emails with MRD; legal research Rule 66; emails with client; confer with L Idleberg regarding legal research for emergency motion	5.50	2,722.50
	JS	Communications regarding UH receivership matters.	1.10	473.00
	LDI	Discuss motion to appoint receiver with J. Chanin.	0.30	64.50
	LDI	Review draft complaint.	0.20	43.00
05/19/2022	JAC	Work on Titan complaint and Rule 66 motion; Telephone conference with client and J Gonnell; review Titan OA; review APA and related docs; review numerous emails regarding Titan	3.25	1,608.75
	JS	Communications regarding UH receivership matters.	0.70	301.00
	KAR	Draft motion to approve settlement for Throgmartin. Discuss Titan Health with JAC, including tasks. Review MJ guidelines and previous template orders and motion for appointing receiver. Review and revise draft complaint to add claims.	2.50	812.50
	LWW	Finalized and filed Motion to approve Settlement (Throgmartin)	0.20	20.00
	LDI	Draft Motion to Appoint Receiver.	4.30	924.50
05/20/2022	JAC	Work on Titan complaint and Rule 66 motion; emails with client; confer with KR; emails with J Gonnell	3.50	1,732.50

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
 Statement No. 195949
 Page No. 5

			Hours	
	JS	Communications regarding UH receivership matters.	0.90	387.00
	KAR	Draft proposed order appointing receiver and continue to revise complaint.	3.00	975.00
	MRD	Review and code Bellco production in database; email communication with J. Chanin; upload pleading to website and post.	1.00	150.00
	LDI	Attention to correspondence regarding receiver order; review revised complaint.	0.20	43.00
	LDI	Finalize receiver motion; correspondence with team regarding same; circulate for review.	0.80	172.00
05/21/2022	JAC	Work on Titan complaint and receiver motion/order; emails with client and J Gonnell; review email from Kaweske; Telephone conference with client	1.50	742.50
05/22/2022	KAR	Draft Gary Schwartz affidavit and review and edit motion to appointment of receiver.	3.00	975.00
05/23/2022	JAC	Work on Titan complaint and Rule 66 motion; emails with client and J Gonnell; Telephone conference with client; confer with KR	5.00	2,475.00
	KAR	Revise and edit motion for appointment receiver, gary schwartz affidavit, and complaint and file same.	5.00	1,625.00
	LWW	Drafted Summons and Civil case cover sheet, marked exhibits, drafted Notice of related case and filed case with court (Titan Health)	0.70	70.00
	LDI	Review revised motion for receivership; discuss hearing with team.	0.20	43.00
05/24/2022	JAC	Work on Titan case and obtaining receivership order; confer with KR; emails with client; Telephone conference with Div. 209; Telephone conference with client; Prepare for hearing	4.00	1,980.00
	KAR	Serve process; draft waiver of service of process; prepare for hearing, prepare exhibits for hearing, serve Kaweske, draft certificate of service.	4.00	1,300.00
	MRD	Receive documents from Wintrust with revised confidential watermark.	0.30	45.00
	LWW	Filed additional exhibits with court (Titan Health); Prepared binders for Titan Health hearing; Bates labeled Wintrust production; Filed Certificate of service with court (Titan Health)	1.00	100.00
05/25/2022	JAC	Prepare for Titan receiver hearing; meet with client; attend hearing	8.50	4,207.50
	KAR	Prepare for and attend emergency hearing on request for appointment of receiver.	7.00	2,275.00

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
 Statement No. 195949
 Page No. 6

			Hours	
	MRD	Email communication with DOJ forwarding Wintrust reissued documents; email communication with Centurion forwarding revised Wintrust documents.	0.30	45.00
05/26/2022	JS	Communications regarding UH receivership matters.	0.80	344.00
	KAR	Attention to issues arising from execution of receivership order.	1.00	325.00
	LWW	Filed Hearing exhibits with court (Titan Health)	0.20	20.00
05/27/2022	JAC	Confer with KR; Telephone conference with client; review new emails with Kaweske	1.50	742.50
05/31/2022	JAC	review new emails regarding UH; emails with client; confer with KR	1.25	618.75
		Total Fees	<u>204.85</u>	<u>82,185.75</u>

Expenses

05/01/2022		Color print - April		1.00
05/02/2022		*Case Access fee - Dafney, Isiah v. Universal Herbs LLC - Colorado Interactive (ICCES)		15.72
05/04/2022		Filing fee - RECEIVERS REPORT - Colorado Interactive (ICCES)		12.00
05/04/2022		Service fee - RECEIVERS REPORT - Colorado Interactive (ICCES)		12.00
05/20/2022		Filing fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT, RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)		12.00
05/20/2022		Service fee - Proposed ORDER GRANTING RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT, RECEIVERS MOTION TO APPROVE SETTLEMENT AGREEMENT - Colorado Interactive (ICCES)		12.00
05/23/2022		Filing fee - District Court Civil Case Cover Sheet, Complaint, Notice of Related Case, EMERGENCY MOTION FOR APPOINTMENT OF RECEIVER AND REQUEST FOR FORTHWITH HEARING, Summons, PROPOSED ORDER APPOINTING RECEIVER, Affidavit of Gary Schwartz - Colorado Interactive (ICCES)		12.00
05/23/2022		Statutory fee - Complaint - Colorado Interactive (ICCES)		235.00
05/25/2022		Filing fee - Affidavit of Gary Schwartz - Colorado Interactive (ICCES)		12.00
05/25/2022		Filing fee - Exhibit C to Complaint, Exhibit B to Complaint, Exhibit A to Complaint - Colorado Interactive (ICCES)		12.00
05/25/2022		Filing fee - Exhibit 1 to Certificate of Service - Waiver and Acceptance of Service, Certificate of Service w/attach, Exhibit 2 to Certificate of Service - Service Email - Colorado Interactive (ICCES)		12.00
05/27/2022		Filing fee - Hearing Exhibit D, Hearing Exhibit F, Hearing Exhibit E, Hearing Exhibit G - Colorado Interactive (ICCES)		12.00
		Total Expenses		<u>359.72</u>

Total Fees & Expenses for Current Month 82,545.47

Previous Balance 166,480.54

Balance Due \$249,026.01

EXHIBIT 2

Gary Schwartz
Account No. 23998.0003
RE: Receiver, Case No. 2019CV33770

Statement Date: 06/06/2022
Statement No. 195949
Page No. 7

<u>Aged Due Amounts</u>					
<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
82,545.47	72,073.07	0.00	57,552.74	36,703.29	151.44

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* Invoice total due upon receipt

* Cost/Advances may include an additional Denver city use tax of 4.81%

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

360 S. Garfield St., 6th Fl.
Denver, CO 80209

(303) 333-9810

Attn: Gary Schwartz

Gary Schwartz
Betzer Call Lausten & Schwartz LLP
633 17th St. #1640
Denver, CO 80202
gschwartz@bcls-cpa.c

Invoice Date: July 14, 2022
Invoice No. 197389
Account No. 23998.0003
Page: 1

RE: Receiver, Case No. 2019CV33770

PAYMENT DUE UPON RECEIPT UNLESS OTHER WRITTEN AGREEMENT APPLIES.

PLEASE REFERENCE INVOICE NUMBER(S) ON YOUR PAYMENT.

Fees

			Hours	
06/01/2022	JAC	Review new documents; emails with client; confer with KR	1.75	866.25
	LWW	(Titan) Finalized and filed notice of status conference	0.20	20.00
	KAR	Attention to emails regarding Universal Herbs receivership. Draft and file notice of status conference. Confer on same with JAC and client. review order approving Throgmartin settlement and send same to Mullen.	1.20	420.00
06/02/2022	JAC	Emails with client and Titan; work on Titan issues; review Titan OA and receiver order	1.00	495.00
	MRD	Upload pleadings to website.	0.20	30.00
06/03/2022	JAC	Emails with client; review numerous emails regarding Titan and receivership; confer with KR	1.25	618.75
06/06/2022	JAC	Emails with client; review Titan receivership issues and status; voice mail from counsel for Titan	1.00	495.00
06/07/2022	JAC	Emails with client; Telephone conference with client; Telephone conference with K Boehm (Titan's attorney); review Titan OA; confer with JS; review new documents	2.50	1,237.50
	JS	Call with Foley and Lardner.	0.30	129.00
06/08/2022	JAC	Emails with client; Telephone conference with client; review new emails with Titan; confer with JS; analyze documents and agreements	1.50	742.50
06/09/2022	JAC	Emails with client; review emails with Titan; work on receiver report; Telephone conference with client	1.25	618.75

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 07/14/2022
 Statement No. 197389
 Page No. 2

			Hours	
06/10/2022	JAC	Review status of claw back claims and settlements; review new emails regarding Titan; emails with client	1.25	618.75
06/13/2022	JAC	Emails with client; confer with KR; Telephone conference with R Bryans (atty for titan)	2.00	990.00
	KAR	Emails regarding Throgmartin settlement; call with client on same. confer with JAC on open tasks. Call with JAC and Richard Bryans.	1.00	350.00
06/14/2022	JAC	Confer with KR; review claims	1.25	618.75
	KAR	Attention to oath of receiver in Titan matter; attention to emails on same.	0.70	245.00
06/16/2022	LWW	(Titan) Filed Oath of receiver with court	0.20	20.00
06/17/2022	JAC	Telephone conference with client regarding Titan and Kaweske	0.50	247.50
06/20/2022	JAC	Telephone conference with client; Telephone conference with Todd Miller; confer with KR; emails with client	1.00	495.00
06/21/2022	JAC	Confer with KR; work on T. Miller affidavit; emails with client; prepare for Titan hearing	1.50	742.50
	KAR	Prepare for status conference; draft Miller affidavit.	1.00	350.00
06/22/2022	JAC	Prepare for Titan hearing; confer with KR; review Kaweske affidavit and documents; emails with client; emails with R. Barnes; Telephone conference with client	1.75	866.25
	LWW	Finalized, prepared exhibits and filed Receiver Status Conference Update	0.40	40.00
	KAR	Call with Richard Bryans; prepare for status conference.	1.40	490.00
06/23/2022	KAR	Attend status conference in Universal Herbs matter.	2.00	700.00
	JAC	Attend status conference regarding Titan; Telephone conference with client; confer with KR; emails with client	3.00	1,485.00
	JS	Communications regarding status conference.	0.20	86.00
06/24/2022	JAC	Work on Titan issues; emails with client; confer with KR	1.00	495.00
06/27/2022	JAC	Emails with J Gonnell; emails with client; review new emails with Kaweske; confer with KR; work on fee application	1.50	742.50
	KAR	Review invoices for redaction and draft fee application.	1.80	630.00
06/29/2022	JAC	Emails with R Bryans; emails with client; confer with KR; work on fee application; Telephone conference with client regarding Titan	1.75	866.25

EXHIBIT 2

Gary Schwartz
 Account No. 23998.0003
 RE: Receiver, Case No. 2019CV33770

Statement Date: 07/14/2022
 Statement No. 197389
 Page No. 3

		Hours	
	KAR	Draft motions to enter amended receivership orders	2.00 700.00
06/30/2022	EJH	Telephone conference with Nello Gonfiantini regarding Throgmartin shares;	0.25 106.25
	CGS	Review/analyze Chase's response to objection to magistrate recommendation.	0.50 225.00
	JAC	Emails with client; emails with Titan's counsel; confer with KR; review document request list for Titan; emails with Diego regarding stock	1.25 618.75
		Total Fees	41.35 18,401.25

Expenses

06/01/2022	Online legal research - May - Thomson Reuters - West	977.86
06/02/2022	Filing fee - Notice of Status Conference - Colorado Interactive (ICCES)	12.00
06/17/2022	Filing fee - Oath of Receiver - Colorado Interactive (ICCES)	12.00
06/23/2022	Filing fee - NOTICE OF FILING STATUS REPORT with attach, Status Report - Colorado Interactive (ICCES)	12.00
06/23/2022	Service fee - NOTICE OF FILING STATUS REPORT with attach, Status Report - Colorado Interactive (ICCES)	12.00
	Total Expenses	1,025.86

Total Fees & Expenses for Current Month 19,427.11

Previous Balance \$249,026.01

Balance Due \$268,453.12

Aged Due Amounts

<u>0-30</u>	<u>31-60</u>	<u>61-90</u>	<u>91-120</u>	<u>121-180</u>	<u>181+</u>
19,427.11	82,545.47	53,110.61	18,962.46	94,256.03	151.44

A finance charge of up to 2% per month may be assessed on all accounts past due 30 days.

* Invoice total due upon receipt

* Cost/Advances may include an additional Denver city use tax of 4.81%