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AEQUITAS MANAGEMENT, LLC; AEQUITAS HOLDINGS,
LLC; AEQUITAS COMMERCIAL FINANCE, LLC; AEQUITAS
CAPITAL MANAGEMENT, INC.; AEQUITAS INVESTMENT
MANAGEMENT, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

AEQUITAS MANAGEMENT, LLC;
AEQUITAS HOLDINGS, LLC;
AEQUITAS COMMERCIAL FINANCE,
LLC; AEQUITAS CAPITAL
MANAGEMENT, INC.; AEQUITAS
INVESTMENT MANAGEMENT, LLC;
ROBERT J. JESENİK, BRIAN A. OLIVER;
and N. SCOTT GILLIS,

Defendants.

No. 3:16-cv-00438-JR

[PROPOSED] ORDER GRANTING
RECEIVER’S REQUEST FOR (1) FINAL
ALLOWANCE OF THE FEES AND
EXPENSES PREVIOUSLY APPROVED IN
THE PRIOR TWENTY-NINE INTERIM
FEE APPLICATIONS, (2) FINAL
ALLOWANCE AND RELEASE OF THE
TWENTY PERCENT HOLDBACK FROM
THE PRIOR TWENTY-NINE INTERIM
FEE APPLICATIONS, AND (3) FINAL
ALLOWANCE AND PAYMENT OF THE
FEES AND EXPENSES INCURRED FOR
THE PERIOD FROM JULY 1, 2023
THROUGH OCTOBER 31, 2023



This matter having come before the Honorable Jolie Russo on Receiver’s Request for (1) Final Allowance of the Fees and Expenses Previously Approved in the Prior Twenty-Nine Interim Fee Applications, (2) Final Allowance and Release of the Twenty Percent Holdback from the Prior Twenty-Nine Interim Fee Applications, and (3) Final Allowance and Payment of the Fees and Expenses Incurred for the Period from July 1, 2023 through October 31, 2023 (the “Final Fee Application”) [Dkt. 1047] and the Court, having given all counsel an opportunity to oppose the Final Fee Application, and being fully advised in the premises, now, therefore,

THE COURT FINDS as follows:

A. On March 10, 2016, the Securities and Exchange Commission (“SEC”) filed a complaint in this Court against the five entity defendants and three individual defendants, Robert J. Jesenik, Brian A. Oliver, and N. Scott Gillis.

B. On March 16, 2016, pursuant to the Stipulated Interim Order Appointing Receiver, the Receiver was appointed as receiver for the Receivership Entity¹ on an interim basis. On April 14, 2016, pursuant to the Order Appointing Receiver, the Receiver was appointed as receiver of the Receivership Entity on a final basis.

C. Due, timely and adequate notice of the Final Fee Application was given, and such notice was good, sufficient, and appropriate under the circumstances. No other or further notice of the Final Fee Application is or shall be required.

D. The Court having reviewed the Final Fee Application, and having considered any objections filed to the Final Fee Application, and it appearing that the relief sought in the Final Fee Application is in the best interest of the Receivership Entity and its estate,

IT IS HEREBY ORDERED AND DECREED as follows.

1. The Final Fee Application is approved in its entirety.

¹ Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Final Fee Application.

2. The Receiver is authorized to immediately release the Holdback and pay the fees and expenses described therein.

3. All objections to the Final Fee Application that have not been withdrawn, waived, settled, or expressly reserved pursuant to the terms of this Order are hereby overruled.

4. This Order shall be binding in all respects on the Receiver, all creditors and interest holders of the Receivership Entity, and their successors and assigns.

5. This Court shall retain jurisdiction over any issues relating to the Final Fee Application, the enforcement of this Order and all other matters relating to the Receivership.

Dated this _____ day of _____, 2024.

United States Magistrate Judge Jolie Russo

SUBMITTED BY:

SCHWABE, WILLIAMSON & WYATT, P.C.

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