

1 **Christy M. Tobin-Presser**, (Admitted *Pro Hac Vice*)

Email: [ctobin@bskd.com](mailto:ctobin@bskd.com)

2 **Lesley Bohleber**, OSB #180098

Email: [lbohleber@bskd.com](mailto:lbohleber@bskd.com)

3 BUSH KORNFELD LLP

601 Union St, Suite 5000

4 Seattle, WA 98101

Telephone: (206) 292-2110

5 Facsimile: (206) 292-2104

6 *Attorneys for David Stapleton of the*  
7 *Stapleton Group, QSF Trustee*

8  
9 UNITED STATES DISTRICT COURT  
10 FOR THE DISTRICT OF OREGON  
11 PORTLAND DIVISION

12 SECURITIES AND EXCHANGE COMMISSION,

No. 3:16-cv-00438-JR

13 Plaintiff,

14 v.

**DECLARATION OF CHRISTINE M.  
TOBIN-PRESSER IN SUPPORT OF  
QSF TRUSTEE’S APPLICATION TO  
EMPLOY COUNSEL**

15 AEQUITAS MANAGEMENT, LLC; AEQUITAS  
16 HOLDINGS, LLC; AEQUITAS COMMERCIAL  
17 FINANCE, LLC; AEQUITAS CAPITAL  
18 MANAGEMENT, INC.; AEQUITAS  
19 INVESTMENT MANAGEMENT, LLC; ROBERT  
20 J. JESENİK; BRIAN A. OLIVER; and N. SCOTT  
21 GILLIS,

22 Defendants.

23 I, CHRISTINE M. TOBIN-PRESSER, declare as follows:

1. I am a partner at Bush Kornfeld, LLP (“Bush Kornfeld”). I make this declaration in support of the QSF Trustee’s Application to Employ Counsel (the “Application”).

**DECLARATION OF CHRISTINE M. TOBIN-PRESSER  
IN SUPPORT OF QSF TRUSTEE’S APPLICATION TO  
EMPLOY COUNSEL**

BUSH KORNFELD LLP  
LAW OFFICES  
601 Union St, Suite 5000



160043824052800000000002

1           2.       Bush Kornfeld is not a creditor of the Receivership Entity<sup>1</sup> or the QSF.

2           3.       Bush Kornfeld is not a relative of a general partner of the Receivership Entity.

3           4.       Bush Kornfeld is not a partnership in which the Receivership Entity is a general  
4 partner.

5           5.       Bush Kornfeld is not a general partner of the Receivership Entity.

6           6.       Bush Kornfeld is not a corporation of which the Receivership Entity is a director,  
7 officer, or person in control.

8           7.       Bush Kornfeld is not and was not, within two years before the date of the entry of the  
9 Order Appointing Receiver, a director, officer or employee of the Receivership Entity.

10          8.       Bush Kornfeld is not a person in control of the Receivership Entity or the QSF.

11          9.       Bush Kornfeld is not a relative of a director, officer or person in control of the  
12 Receivership Entity or the Receivership Entity or the QSF.

13          10.      Bush Kornfeld is not the managing agent of the Receivership Entity or the QSF.

14          11.      Bush Kornfeld is not and was not an investment banker for any outstanding security of  
15 the Receivership Entity; has not been within three years before the date of the Order Appointing  
16 Receiver, an investment banker for a security of the Receivership Entity, or an attorney for such an  
17 investment bank in connection with the offer, sale, or issuance of a security of the Receivership  
18 Entity; and is not and was not, within two years before the date of entry of the Order Appointing  
19 Receiver, a director, officer, or employee of such an investment banker.

20          12.      Bush Kornfeld has no interest materially adverse to the interest of the QSF Trustee, the  
21 QSF, or the Receivership Entity.

22 \_\_\_\_\_  
23           <sup>1</sup> Capitalized terms not otherwise defined in this declaration shall have the meanings ascribed to them  
in the April 14, 2016, Order Appointing Receiver. [Dkt. 156].

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

13. Bush Kornfeld is not an affiliate of the Receivership Entity.

14. Bush Kornfeld acknowledges that it has a duty during the progress of the administration of the QSF to keep the court informed of any change in the statement of facts which appear in this declaration. In the event that any such changes occur, Bush Kornfeld shall promptly file with the court an amended declaration.

15. Bush Kornfeld acknowledges that its fees and expenses incurred herein will be subject to review and allowance pursuant to Article XV of the Order Appointing Receiver.

16. I declare under penalty of perjury under the laws of the state of Oregon that the foregoing statements and those contained in any attached exhibits, are true and correct to the best of my knowledge, information and belief.

DATED this 21<sup>st</sup> day of May, 2024.

By /s/Christine M. Tobin-Presser  
Christine M. Tobin-Presser, WSBA #27628  
(Admitted *pro hac vice*)  
Partner, Bush Kornfeld LLP