

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:16-cv-01556-HEA
)	
GLOBAL ACCESS TECHNICAL)	
SUPPORT LLC, et al.)	
)	
Defendants.)	

**MOTION FOR ORDER APPROVING TURNOVER OF REMAINING RECEIVERSHIP
FUNDS TO PLAINTIFF FEDERAL TRADE COMMISSION AND AUTHORIZING
WIND UP OF THE RECEIVERSHIP PROCEEDING**

Claire M. Schenk, the Receiver for Defendants Global Access Technical Support LLC (“GATS”), Global sMind LLC (“Global sMind”), and Helios Digital Media LLC (“Helios”) (collectively the “Receivership Defendants”), pursuant to the Court’s October 4, 2016 Order (“Receivership Order”) and June 6, 2017 Order (“the Liquidation Order”) (collectively, “the Orders”), hereby moves the Court for an order for the following relief:

1. An order approving the Receiver’s final report and accounting, approving and confirming the activities of the Receiver described therein, and approving and confirming all actions and activities taken by or on behalf of the Receiver and all payments made by the Receiver in connection with the administration of the receivership estate, as set forth in the Receiver’s Memorandum in Support of the Motion;

2. An order authorizing the Receiver to turn over to plaintiff Federal Trade Commission (“FTC”) all funds remaining in the receivership estate after payment of all administrative expenses, including payment of the fees and expenses of the Receiver and his

counsel, after wind up of the estate, in an amount presently estimated at approximately \$834,448.02.

3. An order approving all receivership administrative expenses, including the fees and costs of the Receiver and the retained professionals from December 1, 2017 through April 30, 2018 are determined to be reasonable and appropriate and are approved in the total amount of \$19,944.75 to be distributed as follows: (a) Thompson Coburn LLP (“Thompson Coburn”), \$18,918.99, the Receiver’s primary counsel; (b) Segue Partners, LLC (“Segue”), \$940.76, the Receiver’s bookkeeper; and (c) CliftonLarsonAllen LLP (“CLA”), \$85.00 the Receiver’s accountant, tax preparer, forensics and valuation expert;

4. An order authorizing the Receiver to establish a post receivership reserve in the amount of \$12,500 (“the Reserve”) to cover fees and expenses relating to: the finalization of the Receiver’s report; coordination of this filing with the FTC; service and communications with potential creditors; provision of such other notices as required; and responses to taxing authorities and others as required. The Receiver requests this reserve be self-executing, allowing Receiver to access the funds without further Court Order, upon the consent of the FTC. The Receiver, at the appropriate time and based upon the Receiver’s determination that no further post-receivership fees and expenses remain outstanding, requests the authority to transfer any receivership funds remaining in the Reserve to the FTC;

5. Effective upon the completion of the Receiver’s wind up of the estate, payment of administrative expenses and distribution of remaining estate assets as provided herein, an order (a) discharging the Receiver, her deputies, agents, employees, members, officers, independent contractors, attorneys and representatives; (b) releasing the Receiver, her deputies, agents, employees, members, officers, independent contractors, attorneys and representatives from all

claims and liabilities arising out of and/or pertaining to the receivership herein, including without limitation all claims that were or could have been asserted concerning the Receiver's activities, including without limitation the activities reflected in the Final Report and Accounting; (c) relieving the Receiver, her deputies, agents, employees, members, officers, independent contractors, attorneys and representatives of all duties and responsibilities pertaining to the receivership established in this action; and (d) exonerating the Receiver's bond;

6. An order authorizing the Receiver to dispose of and destroy the electronic and hard copy records and all computer hard drives of the Receivership Defendants in the Receiver's possession, custody or control, unless within 180 days after entry of the Order on this Motion, the Receiver has been served with a request by the FTC for possession of the records and/or hard drives or with a subpoena by a law enforcement agency for the records and/or hard drives, in which event the Receiver is authorized to turn over the original records and/or hard drives to the FTC or a law enforcement agency in response to the request or subpoena, as applicable;

7. An order deeming notice of this Motion to be sufficient; and

8. An order for any other and further relief as may be reasonable or appropriate in connection with the wind up and closure of the receivership estate.

This Motion is made and based on this Motion, the Memorandum of Law, and Declaration of Claire M. Schenk filed in support hereof, records and files of the Court in this case of which the Receiver requests the Court take judicial notice, and on such further oral and documentary evidence and arguments of counsel as may hereafter be presented in support of the Motion. A Proposed Order is attached hereto as **Exhibit 1**.

Respectfully Submitted,

THOMPSON COBURN LLP

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CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2018, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system to all counsel of record. I further certify that I caused a copy of the Receiver's Motion and Memorandum to be served upon the individuals and entities listed below.

/s/ Emilee L. Hargis

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