

## Member Profile as of August 28, 2024

National Association of Federal Equity Receivers



### Kyra E. Andrassy, 63298127

<b>Professional Address</b>	Employer Name: Raines Feldman Littrell LLP Title: Partner 3200 Park Center Drive Suite 250 Costa Mesa, California 92626 United States	<b>Work Phone</b>	714-445-1000
		<b>Work Fax</b>	
<b>Personal Address</b>	3200 Park Center Dr., Suite 250 Costa Mesa, California 90720 United States	<b>Home Phone</b>	714-445-1000
<b>E-mail</b>	kandrassy@raineslaw.com	<b>Mobile Phone</b>	7149817966
<b>Web Site</b>	http://www.raineslaw.com		

Click **HERE** to view full profile.



**STATEMENT OF INTEREST FORM  
NAFER BOARD OF DIRECTORS**

**Name:** Kyra Andrassy

**Address:** 3200 Park Center Drive, Suite 250

**City, State, Zip:** Costa Mesa, CA 92626

**Telephone:** 714-981-7966 \_\_\_\_\_ **Email:** kandrassy@raineslaw.com \_\_\_\_\_

**Years you have been a receiver:** \_\_\_\_\_ **Years you have been a NAFER Member:** 5 (3 as a full member)

**Profession:** Counsel for Receivers \_\_\_\_\_ **Average annual number of cases:** \_\_\_\_\_ 4 \_\_\_\_\_

1. Describe why you would like to be a member of the NAFER Board:

I have been involved in different professional organizations over the years, usually as a leader, and NAFER is my favorite of all of them. As a new member to NAFER, I received a warm welcome and found a community of professionals dedicated to learning about equity receiverships, sharing knowledge and experiences, and a sense of community. As a board member, I can ensure new members feel the same way that I did and contribute to an organization that has helped me immensely in my receivership practice.

2. Describe any significant efforts you have participated in on behalf of NAFER:

I attended the annual conference the first year I became a member of NAFER and volunteered to be on the conference committee the following year and the year after that, found myself co-chair of the annual conference. Including Santa Barbara, I will have served as conference co-chair for four years. I have been an active board member for almost 3 years.

3. Describe any significant efforts you have participated in to improve the receivership process:

I have introduced NAFER to professionals who are new receivers or who have applied to serve as equity receivers, and all of them have had the same experience that I have. As conference co-chair, I have participated in the creation of the various panels that have provided education to its attendees. I have also been on a number of panels on receivership-related issues, both locally and for NAFER.

4. Describe any significant efforts you have participated in on behalf of your specific profession:

My case load is about half equity receiverships and half bankruptcy. Over the years, I have served (or am serving) on numerous boards, including the Los Angeles Bankruptcy Forum, the California Bankruptcy Forum, the California Receiver's Forum, the International Women's Insolvency and Restructuring Confederation and the Orange County Bankruptcy Forum. I have been conference co-chair for several different conferences, including American Bankruptcy Institute's Bankruptcy Battleground West conference and the California Bankruptcy Forum's annual conference. I am currently serving as a Central District of California lawyer representative to the Ninth Circuit Judicial Conference and in that capacity hope to plan programs for the federal judges on equity receiverships at future conferences. I also frequently serve as a panelist on bankruptcy and receivership-related issues.



5. Describe any other items you would like for the voters to consider:

I am a doer and do not volunteer to be a leader unless I can actively contribute to an organization. NAFER has benefitted me in so many ways since I started my receivership practice and I want to continue to give that back to NAFER and make sure others feel the way that I have.

By submitting this statement of interest, I acknowledge receipt of the criteria and obligations of a board member and the NAFER Conflict of Interest Policy, and attest that, to the best of my knowledge, I can meet such criteria and obligations and do not have a conflict of interest with NAFER at this time.

\_\_\_\_\_  
*Signature of Candidate*

6/26/24

\_\_\_\_\_  
*Date*

*These forms will be sent to all NAFER Full members. Please limit responses to two pages.  
Please return forms to Jennifer Brinkley at [naferstaff@nafer.org](mailto:naferstaff@nafer.org).*

## Member Profile as of August 28, 2024

National Association of Federal Equity Receivers



**Kenneth D. Murena, 63298305**

<b>Professional Address</b>	Employer Name: Damian Valori Culmo Title: Partner 1000 Brickell Avenue Suite 1020 Miami, Florida 33131 United States	<b>Work Phone</b>	305-371-3960
		<b>Work Fax</b>	
<b>Personal Address</b>	1000 Brickell Avenue Suite 1020 Miami, Florida 33131 United States	<b>Home Phone</b>	3053713960
<b>E-mail</b>	kmurena@dvlp.com	<b>Mobile Phone</b>	3058125864
<b>Web Site</b>	http://www.MiamiReceiver.com		

Click **HERE** to view full profile.



STATEMENT OF INTEREST FORM  
NAFER BOARD OF DIRECTORS

Name: Kenneth Dante Murena

Address: 1000 Brickell Avenue, Suite 1020

City, State, Zip: Miami, FL 33131

Telephone: 305-812-5864

Email: kmurena@dvlip.com

Years you have been a receiver: 7 Years you have been a NAFER Member: 11

Profession: Attorney Average annual number of cases: I am usually working on 5 -6 federal equity receiverships and 3-4 state court receiverships in a given year.

1. Describe why you would like to be a member of the NAFER Board:

Having been a member of NAFER for 11 years, serving on three committees over the years, and chairing one committee for a number of years, in addition to having work on 22 federal equity receivership arising from SEC, CFTC, and FTC enforcement actions in multiple federal districts in five states, as both lead counsel for the Receiver, co-counsel for the Receiver, and the Receiver over the past 21 years, I believe can help NAFER nurture existing and foster new relationships with federal judges and regulators, continue to improve the content and utility of its website and the resources it offers to members and regulators, help expand NAFER's purview and programming to include state court receiverships, and encourage younger receivership practitioners to join NAFER, participate in its committees, conferences, and initiatives, take leadership roles, and ensure NAFER's continued status and reputation as the nation's preeminent receivership association.

2. Describe any significant efforts you have participated in on behalf of NAFER:

I served for approximately 4 years as the Co-Chair of the regulatory subcommittee of the Outreach Committee (before it was a separate Committee) with Peter Zlotnick as my Co-Chair and Burt Wiand as the Outreach Committee Chair. Together, we compiled one of the first NAFER databases of federal regulators throughout the country, we prepared and sent letters to those regulators introducing NAFER and the resources it can provide to



regulators, and scheduled and attended, on behalf of NAFER, several in-person meetings with regulators in multiple jurisdictions to further discuss NAFER and how its resources and experienced members can assist regulators in enforcement actions, and to invite them to attend and speak at the NAFER annual and regional conferences. The regulators we met seemed very interested in NAFER and some of them even attended future NAFER conferences. I was proud to serve as an ambassador to NAFER and, even after my Chairship, I have continued to do so, sharing NAFER's mission and promoting its benefits to anyone who will listen.

**3. Describe any significant efforts you have participated in to improve the receivership process:**

From 2016 through 2020, as the Chair of the Florida Bar Business Law Section Task Force on the Uniform Commercial Real Estate Receivership Act (UCRERA), I spearheaded the effort to have UCRERA enacted into law in Florida. UCRERA, Florida's first statute to govern real estate receiverships, provides a robust framework for the appointment of receivers and the administration of real estate receiverships, expanding the court's powers to appoint receivers, enumerating the powers, duties and liabilities of receiver and the rights and obligation of the property owners, facilitating the preservation of the value of the subject property and prevention of dissipation or waste, and, under certain circumstances, authorizing the sale of property free and clear of all liens in order to maximize value for the benefit of all litigants. The Task Force, comprised of Florida Bar members from the Bankruptcy/UCC Committee, the Business Litigation Committee, and the Corporations Committee, worked for four years on revising and refining UCRERA, receiving input from the Florida Bar Real Property Probate and Trust Law Section, the Florida Bankers Association, the Florida Land Title Association, and the Uniform Law Commission. The Task Force then worked with the Business Law Section's lobbyists in Tallahassee to shepherd the Act through the Legislature. After several Committee hearings, UCRERA passed both the House and the Senate unanimously and was signed into law by Florida's Governor in July 2020.

**4. Describe any significant efforts you have participated in on behalf of your specific profession:**

Over the past three years I served as the Chair and Vice-Chair, after many years of being an active member, of the Bankruptcy/UCC Committee of the Business Law Section of the Florida Bar. This Committee, the purview of which includes receivership, is the probably the largest and most active Committee of the Business Law Section,




having multiple Study Groups and members leading efforts to propose, revise, and enact significant legislation in Florida, producing continuing legal education programs on bankruptcy, UCC, and receivership related subjects throughout the state, and formulating, promoting, and participating in state-wide pro bono, financial literacy, and diversity, equity, and inclusion initiatives. I believe my contributions through the Bankruptcy/UCC Committee, as a leader and active member for more than a decade, have had a significant positive impact on my profession as a lawyer and Receiver.

5. Describe any other items you would like for the voters to consider:

Nearly ten years ago, I created the website ReceiversReport.com because I thought it would be useful to have an online resource that highlights recent developments and established principles of law relevant to receivers, trustees, other fiduciaries, and their counsel, accountants, and other professionals. ReceiversReport.com features articles and posts from attorneys at my law firm and other firms about important court decisions, statutes, rules, and other legal authority and equitable principles that may be helpful to or otherwise impact the cases and practices of fiduciaries, their professionals, and other legal practitioners. Visitors to the website can easily search for cases, holdings, or other information by subject matter, keyword, jurisdiction, and author, and anyone is welcome to submit articles and posts for consideration for publication.

By submitting this statement of interest, I acknowledge receipt of the criteria and obligations of a board member and the NAFER Conflict of Interest Policy, and attest that, to the best of my knowledge, I can meet such criteria and obligations and do not have a conflict of interest with NAFER at this time.

  
Signature of Candidate

7/24/2024  
Date

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Please return forms to Jennifer Brinkley at [naferstaff@nafer.org](mailto:naferstaff@nafer.org).*



Mr. Murena is a Federal Court-appointed Receiver, Receiver's counsel, and business litigator with extensive experience in both Federal and State Court, at the trial and appellate levels. He has spent most of his career representing Federal and State Court-appointed Receivers, Monitors, and other fiduciaries, as well as defrauded investors, in government enforcement actions brought by the SEC, CFTC and FTC based on securities, commodities and consumer fraud and in asset recovery litigation and class actions arising therefrom.

Mr. Murena also represents investors, who were defrauded in connection with seeking permanent residency under the federal EB-5 program, in actions against the perpetrators of the fraudulent schemes and SEC whistleblower proceedings. In addition to representing defrauded investors, Mr. Murena represents individuals, small businesses, and public companies in litigation matters involving financial fraud, business torts, secured transactions, and real property.

In Bankruptcy Court, Mr. Murena routinely represents Trustees in bankruptcy cases and adversary proceedings and has represented a broad range of interests in Chapter 11 reorganizations and liquidations, including Liquidating Trustees, Creditors Committees, individual and corporate creditors, and corporate debtors-in-possession. And, in Assignment for the Benefit of Creditors proceedings, Mr. Murena has significant experience serving as (i) the Assignee, tasked with operating, winding down or selling the subject company, liquidating its assets, and distributing the proceeds to creditors, (ii) counsel for the subject company, and (iii) counsel for the purchaser of the subject company or its assets.

After graduating from law school in 1998, Mr. Murena served as the Law Clerk to the Honorable Paul G. Hyman, Jr., United States Bankruptcy Judge for the Southern District of Florida. Subsequently, he joined a prominent Miami-based law firm and focused his practice on complex commercial litigation, receiverships and bankruptcy.

Mr. Murena was admitted to the Florida Bar in 1998 and is licensed to practice in all state and federal courts in Florida and the United States Courts of Appeals for the Third and Eleventh Circuits. Mr. Murena received his law degree from the University of Florida College of Law (J.D., 1998), where he served as the Senior Articles Editor of the Florida Law Review. He received his undergraduate degree from the University of Florida College of Liberal Arts & Sciences (B.A., with honors, Phi Beta Kappa, 1995), graduating in the top 1% of his class.

## PROFILE AT A GLANCE

**POSITION:** Partner

### PRACTICE AREAS

- Receivership & Other Fiduciary Services
- Investor Fraud & Whistle Blower Advocacy
- Business & Commercial Fraud Litigation
- Securities, Commodities & Consumer Fraud Litigation
- Bankruptcy & Creditors' Rights

### ADMITTED TO PRACTICE

- The Florida Bar (1998)
- The United States District Courts for Southern, Middle & Northern Districts of Florida (1999)
- The United States Courts of Appeals for the Third & Eleventh Circuits (2001)

### PROFESSIONAL & COMMUNITY ORGANIZATIONS

- The Florida Bar: Business Law Section - Bankruptcy/UCC Committee - Chair
- National Association of Federal Equity Receivers: Judicial Outreach Committee, Regulatory Outreach Committee, State Court Receivership Committee
- Federal Bar Association
- American Bankruptcy Institute: Commercial Fraud Committee - Former Special Projects Director
- Bankruptcy Bar Association
- Educate Tomorrow

### ACKNOWLEDGEMENTS

- AV Preeminent® Rated by Martindale-Hubbell®
- Best Lawyers in America (2018-2024)
- Florida Trend - Florida Legal Elite (2009)
- Florida Super Lawyers (2010)

### PUBLICATIONS

- ReceiversReport.com - Founding Editor and Author
- Contributing Author (2015). Fraud and Forensics: Piercing Through the Deception in a Commercial Fraud Case. Alexandria, VA: American Bankruptcy Institute.
- Litigating Commercial Cases in Bankruptcy Court, Chapter 19, Business Litigation In Florida, (11th ed. 2022).
- The Dodd-Frank Act, the CFTC's Crackdown on Off-Exchange Financed Commodity Transactions, and the Role of the Court-Appointed Fiduciary, THE RECEIVER (Issue 2, Sept. 2013).

### EDUCATION

- University of Florida College of Law (J.D., Law Review, 1998)
- Georgetown University Law Center - International Law Program (Summer 1997)
- University of Florida College of Liberal Arts & Sciences (B.A., with honors, Phi Beta Kappa, 1995)



# REPRESENTATIVE CASES

## FEDERAL COURT RECEIVERSHIPS AND MONITORSHIPS

- *U.S. Commodity Futures Trading Commission v. Highrise Advantage, LLC, et al.*, Case No. 6:20-CV-1657-CEM-RMN, in the U.S. District Court for the Middle District of Florida, (Counsel for Court-Appointed Receiver)
- *U.S. Securities and Exchange Commission v. Brent Seaman, et al.*, Case No. 23-CV-22791-KMW, in the U.S. District Court for the Southern District of Florida (multi-million dollar securities fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Rene Larralde, et al.*, Case No. 6:23-CV-1445-WWB-DCI, in the U.S. District Court for the Middle District of Florida (multi-million dollar cryptocurrency fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Blueprint, LLC*, Case No. 22-CV-80092-DMM, in the U.S. District Court for the Southern District of Florida (multi-million dollar commodities pool fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Daniel Fingerhut, et al.*, Case No. 20-CV-21887-DPG, in the U.S. District Court for the Southern District of Florida (multi-million dollar binary options affiliate marketing fraud) (Counsel for Court-Appointed Receiver)
- *Securities and Exchange Commission v. Today's Growth Consultant, LLC d/b/a The Income Store, et al.*, Case No. 19-CV-08454-ARW, in the U.S. District Court for the Northern District of Illinois (IncomeStoreReceivership.com) (\$100+ million securities fraud) (Counsel for Court-Appointed Receiver)
- *Federal Trade Commission v. On Point Global, LLC, et al.*, Case No. 19-CV-25046-SCOLA, in the U.S. District Court for the Southern District of Florida (multi-million dollar internet business) (Counsel for Court-Appointed Receiver)
- *U.S. Securities and Exchange Commission v. EquityBuild, Inc., et al.*, Case No. 18-CV-5587-MSS, in the U.S. District Court for the Northern District of Illinois (\$135 million real estate related securities fraud) (Litigation Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Timothy Joseph Atkinson, et al.*, Case No. 18-CV-23992-JEM, in the U.S. District Court for the Southern District of Florida (\$30 million binary options affiliate marketing fraud – [www.allinpublishingreceivership.com](http://www.allinpublishingreceivership.com))
- *U.S. Commodity Futures Trading Commission v. Jason B. Scharf, et al.*, Case No. 17-cv-774-J-32MCR, U.S. District Court for the Middle District of Florida ([www.BinaryOptionsReceivership.com](http://www.BinaryOptionsReceivership.com))
- *U.S. Securities and Exchange Commission v. Onix Capital LLC, et al.*, Case No. 16-CV-24678-COOKE/TORRES, U.S. District Court for the Southern District of Florida, ([www.OnixReceivership.com](http://www.OnixReceivership.com))
- *U.S. Federal Trade Commission v. Consumer Collection Advocates, et al.*, Case No. 14-62491-CIV-BLOOM, U.S. District Court for the Southern District of Florida, ([www.ccareceivership.com](http://www.ccareceivership.com))
- *U.S. Commodity Futures Trading Commission v. Worth Group, Inc., et al.*, (Case No. 9:13-cv-80796-KLR), U.S. District Court for the Southern District of Florida ([www.worthmonitor.com](http://www.worthmonitor.com)) (\$30 million commodities fraud investigation)
- *U.S. Securities and Exchange Commission v. We the People Inc., of the United States* (Case No. 2:13-cv-14050-JEM), U.S. District Court for the Southern District of Florida ([www.wethepeoplereceivership.com](http://www.wethepeoplereceivership.com)) (\$75 million securities fraud investigation)
- *U.S. Commodity Futures Trading Commission v. Hunter Wise Commodities, LLC, et al.* (Case No. 9:12-cv 81311-DMM), U.S. District Court for the Southern District of Florida ([www.hunterwisemanager.com](http://www.hunterwisemanager.com)) (\$150 million commodities fraud investigation)
- *U.S. Securities and Exchange Commission v. Aubrey Lee Price, et al.* (Case No. 1:12-cv-2296-TCB), U.S. District Court for the Northern District of Georgia ([www.pfgreceivership.com](http://www.pfgreceivership.com)) (\$55 million securities fraud)
- *U.S. Securities and Exchange Commission v. Marc Roup, et al.* (Case No. 09-CD-01685), in the U.S. District Court for the Western District of Pennsylvania (\$5 million securities fraud)
- *U.S. Securities and Exchange Commission v. Sean Nathan Healy, et al.* (Case No. 09-CV-1130), U.S. District Court for the Middle District of Pennsylvania ([www.healyreceivership.com](http://www.healyreceivership.com)) (\$18 million securities fraud)
- *U.S. Commodity Futures Trading Commission v. Sean Nathan Healy, et al.* (Case No. 09-CV-1331), U.S. District Court for the Middle District of Pennsylvania ([www.healyreceivership.com](http://www.healyreceivership.com)) (\$18 million commodities fraud)
- *U.S. Securities and Exchange Commission v. Charles O. Morgan, as Personal Representative of the Estate of Frederick J. Kunen* (Case No. 07-22204-CIV-Gold/Turnoff), U.S. District Court for the Southern District of Florida ([www.optionstradingfraud.com](http://www.optionstradingfraud.com)) (\$15 million securities fraud)

# REPRESENTATIVE CASES

## FEDERAL COURT RECEIVERSHIPS AND MONITORSHIPS

- *U.S. Securities and Exchange Commission v. Terry E. Provence and DT Capital, LLC* (Case No. 07-23167-Gold/Turnoff), U.S. District Court for the Southern District of Florida ([www.optionstradingfraud.com](http://www.optionstradingfraud.com)) (\$15 million securities fraud)
- *U.S. Securities and Exchange Commission v. Viatical Capital, Inc., et al.* (Case No. 03-CV-1895-T-23-TGW), U.S. District Court for the Middle District of Florida ([www.lifereceivership.com](http://www.lifereceivership.com)) (\$50 million securities fraud)
- *U.S. Securities and Exchange Commission v. Pension Fund of America, L.C., et al.* (Case No. 05-20863-CIV-Moore), U.S. District Court for the Southern District of Florida ([www.pfareceivership.com](http://www.pfareceivership.com)) (\$75 million securities fraud)

## STATE COURT RECEIVERSHIPS & OTHER FIDUCIARY APPOINTMENTS

- *Ana Danton v. Hammocks Community Association Incorporated*, Case No. 22-07798-CA-01, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida (Counsel for Court-Appointed Receiver)
- *Scott P. Fuhrman, et al. v. Travis Robert-Ritter, et al.*, Case No. 23-18086-CA-01, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida (Counsel for Court-Appointed Receiver)
- *In re DRO 15 RR, LLC*, Case No. 22-12017-BKC-LMI, U.S. Bankruptcy Court for the Southern District of Florida (Counsel for State-Court Appointed Conservator of Property of Debtor)
- *Towerhouse Condominium, Inc. v. Taicher, et al.; Taicher v. Taicher, et al.*, Case No. 2018-018522-CA-01, in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (Court-Appointed Special Magistrate)
- *Janett Poll Sarlabous v. Constantino Bagatelas Kouranov, et al.*, Case No. 18-010087-CA-01, in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (Counsel for Court-Appointed Custodian)
- *South Beach 18, LLC, et al. v. Tziyona Cohen, et al.*, Case No. 18-023532, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida, Court-Appointed Custodian
- *Julieta Spenzi v. Joseph Green*, Case No. 13-025945-FC-04, Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- *Benjany Viera v. Klever Ontaneda*, Case No. 12-5693-FC-04, Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- *Fannie Mae v. Residences at 107 Ave., Inc.*, (Case No. 11-14926 CA 32), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *Marimon v. Marimon* (Case No. 11-4696 FC 04), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *U.S. Mortgage Finance II, LLC v. 3079 Aventura Lakes, LLC* (Case No. 09-59337 CA 13), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *U.S. Mortgage Finance II, LLC v. 1406 Mystic Point, LLC* (Case No. 09-59351 CA 13), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *BAC Florida Bank, a Florida Chartered Bank v. 1910 Island LLC, et al.* (Case No. 09-59348 CA 02), Eleventh Judicial Circuit Court in and Miami-Dade County, Florida
- *Amanecer Investment Company, LLC v. Amanecer Christian Network, Inc., et al.* (Case No. 05-11974 CA 30), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *State of Florida Office of Financial Regulations v. Robert Kurland Mortgage Co., Inc.*, Case No. 05-11974 CA 30, Eleventh Judicial Circuit in and for Miami-Dade County, Florida

## BANKRUPTCY & CREDITORS' RIGHTS

**Trustees:** Mr. Murena represents court-appointed Chapter 7 and Chapter 11 bankruptcy trustees and liquidating trustees in corporate liquidations and reorganizations in bankruptcy court.

**Creditors' Rights:** Mr. Murena represents various creditor interests in Chapter 11 reorganizations and converted liquidations, including individual creditors, corporate creditors, banks and other lending institutions, private lenders, and corporate landlords seeking to enforce their rights and recover from debtors pursuant to multi-million dollar debts. See, e.g., *E.S. Bankest, LLC v. United Beverage Florida, LLC* (In re United Container, LLC), 284 B.R. 162 (Bankr. S.D. Fla. 2002).

**Debtor Reorganization:** Mr. Murena has represented individual and corporate debtors-in-possession, including national and international corporations and real estate developers, in Chapter 11 reorganizations involving tens of millions of dollars in debt.

#### ASSIGNMENTS FOR THE BENEFIT OF CREDITORS

Mr. Murena serves as the Fiduciary in Assignment for the Benefit of Creditors (ABC) state court proceedings involving companies seeking to sell their businesses as going concerns or liquidate their assets and inventory and wind down their operations. Mr. Murena also represents the companies that are the subject of the ABC proceedings and the individuals or companies who endeavor to purchase those companies and/or their assets in the ABC proceedings.

#### LITIGATION & APPEALS

Mr. Murena has extensive experience handling a broad range of litigation matters in U.S. District Courts, U.S. Bankruptcy Courts, and State Circuit Courts throughout Florida. He routinely represents federal and state court-appointed equity receivers in fraud and other litigation matters arising from private civil actions and government enforcement actions and related receiverships. Mr. Murena has represented class representatives in class actions arising from federal equity receivership and defendants in enforcement actions brought by the Securities & Exchange Commission, the Commodity Futures Trading Commission and the Federal Trade Commission. He has also represented individual and corporate creditors in various bankruptcy litigation matters. Mr. Murena has significant litigation and trial experience representing individual and corporate plaintiffs and defendants in fraudulent transfer actions, alter-ego/piercing-the-corporate veil actions, successor liability actions, and actions seeking injunctive and declaratory relief. *See, e.g., Harbaugh v. Greslin, et al.*, 436 F. Supp. 2d 1315 (S.D. Fla. 2006), *aff'd* 218 Fed. Appx. 950 (11th Cir. 2007). Mr. Murena has also successfully handled a number of appeals to the U.S. Courts of Appeals for the Third and Eleventh Circuits, as well as to District Courts of Appeals in Florida. *See, e.g., Flemming v. Air Sunshine, Inc.*, 311 F.3d 282 (3d Cir. 2002)

Among his more notable litigation matters, Mr. Murena worked on the legal team that represented class representatives in a class action filed in the billion dollar Mutual Benefits Corporation federal equity receivership arising from the enforcement action styled *SEC v. Mutual Benefits Corp., et al.* (Case No.: 04-60573-CIV-Moreno), brought in the U.S. District Court for the Southern District of Florida ([www.mbcreceiver.com](http://www.mbcreceiver.com)). After less than one year of litigation, class representatives and all members of the class recovered \$85 million dollars – a 100% recovery. Mr. Murena also worked on the legal team that represented the estate of a prominent south Florida businessman in the half billion fraudulent transfer action arising from the leveraged buyout of an international airplane leasing company that had filed for Chapter 11 reorganization. He also worked on the legal team that successfully defended a prominent Miami-based international law firm in a half billion legal malpractice case that arose from the collapse of Florida's then-second largest bank.



Mr. Murena is a Federal Court-appointed Receiver, Receiver's counsel, and business litigator with extensive experience in both Federal and State Court, at the trial and appellate levels. He has spent most of his career representing Federal and State Court-appointed Receivers, Monitors, and other fiduciaries, as well as defrauded investors, in government enforcement actions brought by the SEC, CFTC and FTC based on securities, commodities and consumer fraud and in asset recovery litigation and class actions arising therefrom.

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In Bankruptcy Court, Mr. Murena routinely represents Trustees in bankruptcy cases and adversary proceedings and has represented a broad range of interests in Chapter 11 reorganizations and liquidations, including Liquidating Trustees, Creditors Committees, individual and corporate creditors, and corporate debtors-in-possession. And, in Assignment for the Benefit of Creditors proceedings, Mr. Murena has significant experience serving as (i) the Assignee, tasked with operating, winding down or selling the subject company, liquidating its assets, and distributing the proceeds to creditors, (ii) counsel for the subject company, and (iii) counsel for the purchaser of the subject company or its assets.

After graduating from law school in 1998, Mr. Murena served as the Law Clerk to the Honorable Paul G. Hyman, Jr., United States Bankruptcy Judge for the Southern District of Florida. Subsequently, he joined a prominent Miami-based law firm and focused his practice on complex commercial litigation, receiverships and bankruptcy.

Mr. Murena was admitted to the Florida Bar in 1998 and is licensed to practice in all state and federal courts in Florida and the United States Courts of Appeals for the Third and Eleventh Circuits. Mr. Murena received his law degree from the University of Florida College of Law (J.D., 1998), where he served as the Senior Articles Editor of the Florida Law Review. He received his undergraduate degree from the University of Florida College of Liberal Arts & Sciences (B.A., with honors, Phi Beta Kappa, 1995), graduating in the top 1% of his class.

## PROFILE AT A GLANCE

**POSITION:** Partner

### PRACTICE AREAS

- Receivership & Other Fiduciary Services
- Investor Fraud & Whistle Blower Advocacy
- Business & Commercial Fraud Litigation
- Securities, Commodities & Consumer Fraud Litigation
- Bankruptcy & Creditors' Rights

### ADMITTED TO PRACTICE

- The Florida Bar (1998)
- The United States District Courts for Southern, Middle & Northern Districts of Florida (1999)
- The United States Courts of Appeals for the Third & Eleventh Circuits (2001)

### PROFESSIONAL & COMMUNITY ORGANIZATIONS

- The Florida Bar: Business Law Section - Bankruptcy/UCC Committee - Chair
- National Association of Federal Equity Receivers: Judicial Outreach Committee, Regulatory Outreach Committee, State Court Receivership Committee
- Federal Bar Association
- American Bankruptcy Institute: Commercial Fraud Committee - Former Special Projects Director
- Bankruptcy Bar Association
- Educate Tomorrow

### ACKNOWLEDGEMENTS

- AV Preeminent® Rated by Martindale-Hubbell®
- Best Lawyers in America (2018-2024)
- Florida Trend - Florida Legal Elite (2009)
- Florida Super Lawyers (2010)

### PUBLICATIONS

- ReceiversReport.com - Founding Editor and Author
- Contributing Author (2015). Fraud and Forensics: Piercing Through the Deception in a Commercial Fraud Case. Alexandria, VA: American Bankruptcy Institute.
- Litigating Commercial Cases in Bankruptcy Court, Chapter 19, Business Litigation In Florida, (11th ed. 2022).
- The Dodd-Frank Act, the CFTC's Crackdown on Off-Exchange Financed Commodity Transactions, and the Role of the Court-Appointed Fiduciary, THE RECEIVER (Issue 2, Sept. 2013).

### EDUCATION

- University of Florida College of Law (J.D., Law Review, 1998)
- Georgetown University Law Center - International Law Program (Summer 1997)
- University of Florida College of Liberal Arts & Sciences (B.A., with honors, Phi Beta Kappa, 1995)



# REPRESENTATIVE CASES

## FEDERAL COURT RECEIVERSHIPS AND MONITORSHIPS

- *U.S. Commodity Futures Trading Commission v. Highrise Advantage, LLC, et al.*, Case No. 6:20-CV-1657-CEM-RMN, in the U.S. District Court for the Middle District of Florida, (Counsel for Court-Appointed Receiver)
- *U.S. Securities and Exchange Commission v. Brent Seaman, et al.*, Case No. 23-CV-22791-KMW, in the U.S. District Court for the Southern District of Florida (multi-million dollar securities fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Rene Larralde, et al.*, Case No. 6:23-CV-1445-WWB-DCI, in the U.S. District Court for the Middle District of Florida (multi-million dollar cryptocurrency fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Blueprint, LLC*, Case No. 22-CV-80092-DMM, in the U.S. District Court for the Southern District of Florida (multi-million dollar commodities pool fraud) (Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Daniel Fingerhut, et al.*, Case No. 20-CV-21887-DPG, in the U.S. District Court for the Southern District of Florida (multi-million dollar binary options affiliate marketing fraud) (Counsel for Court-Appointed Receiver)
- *Securities and Exchange Commission v. Today's Growth Consultant, LLC d/b/a The Income Store, et al.*, Case No. 19-CV-08454-ARW, in the U.S. District Court for the Northern District of Illinois (IncomeStoreReceivership.com) (\$100+ million securities fraud) (Counsel for Court-Appointed Receiver)
- *Federal Trade Commission v. On Point Global, LLC, et al.*, Case No. 19-CV-25046-SCOLA, in the U.S. District Court for the Southern District of Florida (multi-million dollar internet business) (Counsel for Court-Appointed Receiver)
- *U.S. Securities and Exchange Commission v. EquityBuild, Inc., et al.*, Case No. 18-CV-5587-MSS, in the U.S. District Court for the Northern District of Illinois (\$135 million real estate related securities fraud) (Litigation Counsel for Court-Appointed Receiver)
- *U.S. Commodity Futures Trading Commission v. Timothy Joseph Atkinson, et al.*, Case No. 18-CV-23992-JEM, in the U.S. District Court for the Southern District of Florida (\$30 million binary options affiliate marketing fraud – [www.allinpublishingreceivership.com](http://www.allinpublishingreceivership.com))
- *U.S. Commodity Futures Trading Commission v. Jason B. Scharf, et al.*, Case No. 17-cv-774-J-32MCR, U.S. District Court for the Middle District of Florida ([www.BinaryOptionsReceivership.com](http://www.BinaryOptionsReceivership.com))
- *U.S. Securities and Exchange Commission v. Onix Capital LLC, et al.*, Case No. 16-CV-24678-COOKE/TORRES, U.S. District Court for the Southern District of Florida, ([www.OnixReceivership.com](http://www.OnixReceivership.com))
- *U.S. Federal Trade Commission v. Consumer Collection Advocates, et al.*, Case No. 14-62491-CIV-BLOOM, U.S. District Court for the Southern District of Florida, ([www.ccareceivership.com](http://www.ccareceivership.com))
- *U.S. Commodity Futures Trading Commission v. Worth Group, Inc., et al.*, (Case No. 9:13-cv-80796-KLR), U.S. District Court for the Southern District of Florida ([www.worthmonitor.com](http://www.worthmonitor.com)) (\$30 million commodities fraud investigation)
- *U.S. Securities and Exchange Commission v. We the People Inc., of the United States* (Case No. 2:13-cv-14050-JEM), U.S. District Court for the Southern District of Florida ([www.wethepeoplereceivership.com](http://www.wethepeoplereceivership.com)) (\$75 million securities fraud investigation)
- *U.S. Commodity Futures Trading Commission v. Hunter Wise Commodities, LLC, et al.* (Case No. 9:12-cv 81311-DMM), U.S. District Court for the Southern District of Florida ([www.hunterwisemanager.com](http://www.hunterwisemanager.com)) (\$150 million commodities fraud investigation)
- *U.S. Securities and Exchange Commission v. Aubrey Lee Price, et al.* (Case No. 1:12-cv-2296-TCB), U.S. District Court for the Northern District of Georgia ([www.pfgreceivership.com](http://www.pfgreceivership.com)) (\$55 million securities fraud)
- *U.S. Securities and Exchange Commission v. Marc Roup, et al.* (Case No. 09-CD-01685), in the U.S. District Court for the Western District of Pennsylvania (\$5 million securities fraud)
- *U.S. Securities and Exchange Commission v. Sean Nathan Healy, et al.* (Case No. 09-CV-1130), U.S. District Court for the Middle District of Pennsylvania ([www.healyreceivership.com](http://www.healyreceivership.com)) (\$18 million securities fraud)
- *U.S. Commodity Futures Trading Commission v. Sean Nathan Healy, et al.* (Case No. 09-CV-1331), U.S. District Court for the Middle District of Pennsylvania ([www.healyreceivership.com](http://www.healyreceivership.com)) (\$18 million commodities fraud)
- *U.S. Securities and Exchange Commission v. Charles O. Morgan, as Personal Representative of the Estate of Frederick J. Kunen* (Case No. 07-22204-CIV-Gold/Turnoff), U.S. District Court for the Southern District of Florida ([www.optionstradingfraud.com](http://www.optionstradingfraud.com)) (\$15 million securities fraud)

# REPRESENTATIVE CASES

## FEDERAL COURT RECEIVERSHIPS AND MONITORSHIPS

- *U.S. Securities and Exchange Commission v. Terry E. Provence and DT Capital, LLC* (Case No. 07-23167-Gold/Turnoff), U.S. District Court for the Southern District of Florida ([www.optionstradingfraud.com](http://www.optionstradingfraud.com)) (\$15 million securities fraud)
- *U.S. Securities and Exchange Commission v. Viatical Capital, Inc., et al.* (Case No. 03-CV-1895-T-23-TGW), U.S. District Court for the Middle District of Florida ([www.lifereceivership.com](http://www.lifereceivership.com)) (\$50 million securities fraud)
- *U.S. Securities and Exchange Commission v. Pension Fund of America, L.C., et al.* (Case No. 05-20863-CIV-Moore), U.S. District Court for the Southern District of Florida ([www.pfareceivership.com](http://www.pfareceivership.com)) (\$75 million securities fraud)

## STATE COURT RECEIVERSHIPS & OTHER FIDUCIARY APPOINTMENTS

- *Ana Danton v. Hammocks Community Association Incorporated*, Case No. 22-07798-CA-01, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida (Counsel for Court-Appointed Receiver)
- *Scott P. Fuhrman, et al. v. Travis Robert-Ritter, et al.*, Case No. 23-18086-CA-01, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida (Counsel for Court-Appointed Receiver)
- *In re DRO 15 RR, LLC*, Case No. 22-12017-BKC-LMI, U.S. Bankruptcy Court for the Southern District of Florida (Counsel for State-Court Appointed Conservator of Property of Debtor)
- *Towerhouse Condominium, Inc. v. Taicher, et al.; Taicher v. Taicher, et al.*, Case No. 2018-018522-CA-01, in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (Court-Appointed Special Magistrate)
- *Janett Poll Sarlabous v. Constantino Bagatelas Kouranov, et al.*, Case No. 18-010087-CA-01, in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida (Counsel for Court-Appointed Custodian)
- *South Beach 18, LLC, et al. v. Tziyona Cohen, et al.*, Case No. 18-023532, Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida, Court-Appointed Custodian
- *Julieta Spenzi v. Joseph Green*, Case No. 13-025945-FC-04, Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- *Benjany Viera v. Klever Ontaneda*, Case No. 12-5693-FC-04, Eleventh Judicial Circuit in and for Miami-Dade County, Florida
- *Fannie Mae v. Residences at 107 Ave., Inc.*, (Case No. 11-14926 CA 32), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *Marimon v. Marimon* (Case No. 11-4696 FC 04), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *U.S. Mortgage Finance II, LLC v. 3079 Aventura Lakes, LLC* (Case No. 09-59337 CA 13), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *U.S. Mortgage Finance II, LLC v. 1406 Mystic Point, LLC* (Case No. 09-59351 CA 13), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *BAC Florida Bank, a Florida Chartered Bank v. 1910 Island LLC, et al.* (Case No. 09-59348 CA 02), Eleventh Judicial Circuit Court in and Miami-Dade County, Florida
- *Amanecer Investment Company, LLC v. Amanecer Christian Network, Inc., et al.* (Case No. 05-11974 CA 30), Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida
- *State of Florida Office of Financial Regulations v. Robert Kurland Mortgage Co., Inc.*, Case No. 05-11974 CA 30, Eleventh Judicial Circuit in and for Miami-Dade County, Florida

## BANKRUPTCY & CREDITORS' RIGHTS

**Trustees:** Mr. Murena represents court-appointed Chapter 7 and Chapter 11 bankruptcy trustees and liquidating trustees in corporate liquidations and reorganizations in bankruptcy court.

**Creditors' Rights:** Mr. Murena represents various creditor interests in Chapter 11 reorganizations and converted liquidations, including individual creditors, corporate creditors, banks and other lending institutions, private lenders, and corporate landlords seeking to enforce their rights and recover from debtors pursuant to multi-million dollar debts. See, e.g., *E.S. Bankest, LLC v. United Beverage Florida, LLC* (In re United Container, LLC), 284 B.R. 162 (Bankr. S.D. Fla. 2002).

**Debtor Reorganization:** Mr. Murena has represented individual and corporate debtors-in-possession, including national and international corporations and real estate developers, in Chapter 11 reorganizations involving tens of millions of dollars in debt.

#### ASSIGNMENTS FOR THE BENEFIT OF CREDITORS

Mr. Murena serves as the Fiduciary in Assignment for the Benefit of Creditors (ABC) state court proceedings involving companies seeking to sell their businesses as going concerns or liquidate their assets and inventory and wind down their operations. Mr. Murena also represents the companies that are the subject of the ABC proceedings and the individuals or companies who endeavor to purchase those companies and/or their assets in the ABC proceedings.

#### LITIGATION & APPEALS

Mr. Murena has extensive experience handling a broad range of litigation matters in U.S. District Courts, U.S. Bankruptcy Courts, and State Circuit Courts throughout Florida. He routinely represents federal and state court-appointed equity receivers in fraud and other litigation matters arising from private civil actions and government enforcement actions and related receiverships. Mr. Murena has represented class representatives in class actions arising from federal equity receivership and defendants in enforcement actions brought by the Securities & Exchange Commission, the Commodity Futures Trading Commission and the Federal Trade Commission. He has also represented individual and corporate creditors in various bankruptcy litigation matters. Mr. Murena has significant litigation and trial experience representing individual and corporate plaintiffs and defendants in fraudulent transfer actions, alter-ego/piercing-the-corporate veil actions, successor liability actions, and actions seeking injunctive and declaratory relief. *See, e.g., Harbaugh v. Greslin, et al.*, 436 F. Supp. 2d 1315 (S.D. Fla. 2006), *aff'd* 218 Fed. Appx. 950 (11th Cir. 2007). Mr. Murena has also successfully handled a number of appeals to the U.S. Courts of Appeals for the Third and Eleventh Circuits, as well as to District Courts of Appeals in Florida. *See, e.g., Flemming v. Air Sunshine, Inc.*, 311 F.3d 282 (3d Cir. 2002)

Among his more notable litigation matters, Mr. Murena worked on the legal team that represented class representatives in a class action filed in the billion dollar Mutual Benefits Corporation federal equity receivership arising from the enforcement action styled *SEC v. Mutual Benefits Corp., et al.* (Case No.: 04-60573-CIV-Moreno), brought in the U.S. District Court for the Southern District of Florida ([www.mbcreceiver.com](http://www.mbcreceiver.com)). After less than one year of litigation, class representatives and all members of the class recovered \$85 million dollars – a 100% recovery. Mr. Murena also worked on the legal team that represented the estate of a prominent south Florida businessman in the half billion fraudulent transfer action arising from the leveraged buyout of an international airplane leasing company that had filed for Chapter 11 reorganization. He also worked on the legal team that successfully defended a prominent Miami-based international law firm in a half billion legal malpractice case that arose from the collapse of Florida's then-second largest bank.

## Member Profile as of August 28, 2024

National Association of Federal Equity Receivers

### Jared J. Perez, 63298286

<b>Professional Address</b>	Employer Name: Jared J. Perez P.A. Title: Shareholder 301 Druid Rd. W. Clearwater, Florida 33756 United States	<b>Work Phone</b>	727-641-6562
		<b>Work Fax</b>	
<b>Personal Address</b>	301 Druid Rd. W. Clearwater, Florida 33756 United States	<b>Home Phone</b>	
<b>E-mail</b>	jared.perez@jaredperezlaw.com	<b>Mobile Phone</b>	727-641-6562
<b>Web Site</b>	http://jaredperezlaw.com		

Click **HERE** to view full profile.





STATEMENT OF INTEREST FORM  
NAFER BOARD OF DIRECTORS

Name: Jared J. Perez

Address: 301 Druid Rd. W.

City, State, Zip: Clearwater, FL 33756

Telephone: 727-641-6562 Email: jared.perez@jaredperezlaw.com

Years you have been a receiver: first year as receiver; 13 as counsel Years you have been a NAFER Member: 10

Profession: Attorney Average annual number of cases: Varies

1. Describe why you would like to be a member of the NAFER Board:

In early 2011, I joined Wiand Guerra King P.A. in Tampa, FL from Cadwalader Wickersham & Taft, LLP in New York, NY. At the time, I had a limited understanding of receiverships. My first assignment per Receiver Burton W. Wiand and his other counsel was to draft a summary judgment motion in *S.E.C. v. A. Nadel et al.*, Case No. 8:09-cv-87-T-26TBM (M.D. Fla.), which was granted and affirmed after extensive additional litigation, as reflected in *Wiand v. Lee*, 753 F.3d 1194 (11th Cir. 2014), and related cases. My second assignment was to lead an immediate access team in connection with an FTC receivership and timeshare resale/telemarketing boiler room based in Orlando, FL (*see F.T.C. v. Nat'l Solutions, LLC et al.*, Case No. 6:11-cv-1131-ORL-22-GJK (M.D. Fla.)). Because one of the defendants had a violent criminal record, local law enforcement sent a small army to assist. Needless to say, that experience was very different from the Wall Street securities defense litigation to which I was accustomed at Cadwalader, but I enjoyed the unique challenges. Burt became aware of and involved with NAFER around the same time, and he subsequently brought me and his other counsel to the annual conferences. At my first conference, I met many of the people whose cases I cited in my briefs (*e.g.*, Donell, Wing, Hays, *etc.*), and it quickly became apparent that NAFER was not just another affinity group but rather a collection of the top practitioners in the field. As described below, I have increased my involvement with NAFER over the years since I joined as an associate member in 2014, and I would welcome the opportunity to continue to serve the organization as a member of the Board of Directors.

2. Describe any significant efforts you have participated in on behalf of NAFER:

- Attended every or almost every annual conference, excluding the Covid year(s), since 2014;
- Attended several regional events, including certain of those held in Tampa and Chicago;
- Served on the *Amicus* Committee since the beginning of my membership;
- Participated in drafting an [amicus brief](#) that NAFER filed in connection with the Stanford receivership (through and with locally admitted counsel) regarding whether receivers can be compelled to arbitrate, which I believe was the first *amicus* brief NAFER filed;
- Commissioned (for lack of a better word) another [amicus brief](#) recently in *Wiand v. ATC Brokers Ltd.*, 96 F.4th 1303 (11th Cir. 2024), as appellate counsel on the underlying matter;
- Produced and moderated a webinar, entitled "Developments in Deep Pockets - Third Party Tort Litigation Update & Best Practices," on May 15, 2023;



- Spoke on a [panel](#), entitled “Are You Bound or Not? Contracts and the Federal Receiver,” at the 2021 Annual Conference in Marina del Rey, CA;
- Produced and moderated a [panel](#), entitled “Back in the Saddle Again: Receivership Litigation Update 2022-2023,” at the 2023 Annual Conference in Nashville, TN;
- Continued to participate in the Conference Committee for the 2024 Annual Conference;
- Participated (on a limited basis) in the Regulatory Outreach Committee; and
- Participated (on a limited basis) in the Publication Committee.

3. Describe any significant efforts you have participated in to improve the receivership process:

As counsel, my efforts to improve the receivership process are primarily reflected in the law I have helped to create, especially in the Eleventh Circuit Court of Appeals. *See, e.g., Wiand v. Lee*, 753 F.3d 1194 (11th Cir. 2014); *Wiand v. Dancing \$, LLC*, 578 F. App'x 938 (11th Cir. 2014); *Wiand v. Meeker*, 572 F. App'x 689 (11th Cir. 2014); *Wiand v. ATC Brokers Ltd.*, 96 F.4th 1303 (11th Cir. 2024). I also do not accept cases representing clawback and other types of defendants against receivers or similar matters that could create unfavorable receivership law.

4. Describe any significant efforts you have participated in on behalf of your specific profession:

In addition to NAFER, I have participated in several local, state, and national bar associations, served on various committees and subcommittees, and given presentations on various topics across the country and internationally, including principally the Business Law Section of the American Bar Association and the Business Law Section of the Florida Bar.

5. Describe any other items you would like for the voters to consider:

On July 11, 2024, in an enforcement action styled *Federal Trade Commission v. Start Connecting LLC et al.*, Case No. 8:24-cv-1626 (M.D. Fla.), the United States District Court for the Middle District of Florida appointed me receiver over (1) START CONNECTING LLC, d/b/a USA Student Debt Relief, and (2) START CONNECTING SAS, d/b/a Start Connecting. These entities, along with several individual defendants, are accused of operating a student loan debt forgiveness scheme in violation of federal laws and regulations. This is my first appointment as receiver. Combined with more than 13 years of experience as counsel to receivers and my longstanding involvement with NAFER, I hope this new appointment strengthens my candidacy to serve on the Board of Directors. In addition, I will continue to pursue appropriate opportunities to assist regulators and the federal courts with their receivership needs.

By submitting this statement of interest, I acknowledge receipt of the criteria and obligations of a board member and attest that, to the best of my knowledge, I can meet such criteria and obligations at this time.

  
\_\_\_\_\_  
Signature of Candidate

6/30/2024 (revised 7/17/2024)

\_\_\_\_\_  
Date

## Member Profile as of August 28, 2024

National Association of Federal Equity Receivers

### Jeffrey C. Schneider, 63298271

<b>Professional Address</b>	Employer Name: Levine Kellogg Lehman Schneider + Grossman LLP Title: Managing Partner Miami Tower, 100 SE 2nd Street 36th Floor Miami, Florida 33131 United States	<b>Work Phone</b>	305-403-8799
		<b>Work Fax</b>	
<b>Personal Address</b>	14705 Sailfish Drive Coral Gables, Florida 33158 United States	<b>Home Phone</b>	3054038799
<b>E-mail</b>	jcs@lklsg.com	<b>Mobile Phone</b>	3052996335
<b>Web Site</b>	http://www.lklsg.com		

Click **HERE** to view full profile.



**STATEMENT OF INTEREST FORM  
NAFER BOARD OF DIRECTORS**

**Name:** Jeffrey C. Schneider

**Address:** 100 SE 2<sup>nd</sup> Street, 36<sup>th</sup> Floor, Miami Tower      **City, State, Zip:** Miami, Florida 33131

**Telephone:** 305-403-8799      **Email:** jcs@lklsg.com

**Years you have been a receiver:** I have served as receiver for 15 years; I have represented receivers for 20 years.

**Years you have been a NAFER Member:** 7 years.      **Profession:** Attorney and Receiver.

**Average annual number of cases:** 3 to 5 per year; typically in the eight-figure and nine-figure range.

1. Describe why you would like to be a member of the NAFER Board:

Although I have been a member of NAFER for years, I have become much more involved in the last 2 to 3 years. I have attended the Annual Conferences and the International Conferences. I have spoken on panels. I have participated in group discussions and organized a roundtable. I am very impressed with the organization and its leadership. The receivership world is a true niche practice. Most professionals—including seasoned and experienced attorneys—have no idea what we do or what it comprises. It is a highly specialized and incredibly complex area of the law. What I find in NAFER is that each member, and particularly its leaders, is genuinely committed to improving the practice area and each other's growth in the practice area. This is rare. This is not a group where the members are trying to advance their own careers or self interest. This is a group where the members—and its leaders—are trying to advance the profession as a whole. I have received calls and emails from other members asking for advice. I have placed calls to other members asking for advice. I have seen the group emails asking for advice and assistance. It is a truly wonderful group and one that you should be very proud of.

2. Describe any significant efforts you have participated in on behalf of NAFER:

As an experienced practitioner in this area, I think my most significant contribution has been my participation. Like I said, I have asked for speaking roles on panels and roundtables, and I was an active participant in the discussion at the International Conference (having anointed myself "Investors' Counsel"), because I think I have something to offer in terms of my many years of active participation in the area in multiple capacities—including as receiver, counsel for receiver, and counsel for classes of and mass investors. As we all know, each case is different and has its cast of colorful characters and wildly unpredictable stories. I think the best way to contribute is to teach each other what we have learned along the way so others can learn from our experiences. I try to participate whenever possible to help others in the field. To that end, I think my most significant achievement was to help organize an in-person roundtable in Miami with Jonathan Perlman and Eric Bustillo, the Director of the SEC's Miami Regional Office. Eric is a life-long public servant and a very important member of our receivership community. Having the opportunity to hear from him directly was invaluable and I am proud that Jonathan and I were able to make it happen. I am also proud that the event was co-sponsored by two other important organizations—the local chapter of the FBA and the Wilkie Ferguson Bar Association—the first-ever tri-group collaboration of its kind. Both organizations have already expressed an interest in having another session. Just this morning, Eric agreed to participate in another session. It is my hope to extend this model—of collaborating with other organizations from which we can cross-market and cross-recruit—across the country.



3. Describe any significant efforts you have participated in to improve the receivership process:

This is a great question. As someone who has been involved in the area for 20 years, I feel like I have seen it all. I have participated in contested evidentiary hearings seeking my appointment as receiver. I have prosecuted post-receivership contempt proceedings. I have sold dozens of assets—ranging from cars to airplanes to businesses to run-of-the-mill furniture, fixtures, and equipment. I have settled literally dozens of cases—ranging from simple ones and to nine-figure ones to the most complicated cross-border ones. I have objected to claims, allowed claims, and settled claims. And I have distributed millions of dollars back to defrauded victims. Along the way, I have drafted pleadings, composed letters, prepared proposed orders, published websites, and created blueprints that I am happy and proud to say have been mimicked by other receivers, including some outside of my jurisdiction. They say “imitation is the sincerest form of flattery,” so I view this as my small but hopefully important way of contributing to and improving our process.

4. Describe any significant efforts you have participated in on behalf of your specific profession:

As a practicing attorney for over 30 years, I am often contacted by other attorneys asking for my advice. On more than one occasion, a judge or magistrate has called. They may have read something in an article about one of my cases, or they researched the area, and they just want to kick around some ideas. I love taking these calls and spending time with others who are fighting battles that I have fought in my career. In this area especially—which we view as a noble calling and one that is in the nature of public service work—I am especially proud to have those conversations and share my thoughts. Again, I view this as my small but hopefully important way of improving the profession.

5. Describe any other items you would like for the voters to consider:

I am 57 years old. I have been practicing law for over 30 years. I am an “empty nester,” and I am selective with my time. But like I said above, I am very impressed with this organization and its leaders and its commitment to the area to which I have devoted the vast majority of my professional life. I truly think that I have something to offer after so many years of being an active participant in the area. I really want to help. I am committed to the organization and I would be proud and honored to serve on its Board of Directors.

By submitting this statement of interest, I acknowledge receipt of the criteria and obligations of a board member and the NAFER Conflict of Interest Policy, and attest that, to the best of my knowledge, I can meet such criteria and obligations and do not have a conflict of interest with NAFER at this time.

\_\_\_\_\_  
*Signature of Candidate*

June 4, 2024

\_\_\_\_\_  
*Date*

*These forms will be sent to all NAFER Full members. Please limit responses to two pages.  
Please return forms to Jennifer Brinkley at [naferstaff@nafer.org](mailto:naferstaff@nafer.org).*