

MANNING CURTIS BRADSHAW
& BEDNAR PLLC
David C. Castleberry [11531]
dcastleberry@mc2b.com
Christopher M. Glauser [12101]
cglouser@mc2b.com
136 East South Temple, Suite 1300
Salt Lake City, UT 84111
Telephone (801) 363-5678
Facsimile (801) 364-5678

Attorneys for Plaintiff R. WAYNE KLEIN, the
Court-Appointed Receiver

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

vs.

U.S. VENTURES LC, a Utah limited liability
company, WINSOME INVESTMENT,
TRUST, an unincorporated Texas entity,
ROBERT J. ANDRES and ROBERT L.
HOLLOWAY,

Defendants.

**RECEIVER’S SUPPLEMENTAL
NOTICE RE MOTION REQUESTING
ORDER APPROVING: (1) PUBLIC
SALE OF OUTSTANDING
JUDGMENTS AND RESIDUAL
RECEIVERSHIP ASSETS; (2)
METHOD AND FORM OF
PUBLICATION NOTICE; AND (3)
PUBLIC AUCTION PROCEDURES
AND MEMORANDUM IN SUPPORT**

Case No. 2:11CV00099 BSJ

The Honorable Bruce S. Jenkins

Pursuant to the Court’s direction, R. Wayne Klein, the Court-Appointed Receiver (the
“Receiver”) of U.S. Ventures LC (“USV”), Winsome Investment Trust (“Winsome”), and all the
assets of Robert J. Andres (“Andres”) and Robert L. Holloway (“Holloway”) (collectively, the
“Receivership Entities”), hereby submits this Supplemental Notice re Motion Requesting Order

Approving: (1) Public Sale of Outstanding Judgments and Residual Receivership Assets; (2) Method and Form of Publication Notice; and (3) Public Auction Procedures and Memorandum in Support. As requested by the Court, the Receiver submits the following supplement briefly summarizing how judgments were selected for a particular collection method and identifying the collateral collection proceedings related to the judgments that are subject to this Motion.

In early 2014, the Receiver engaged a private investigative firm, Private Ops, to perform asset searches on the defendants against whom the Receiver had obtained judgments. These asset searches identified bank accounts, bank account balances, and real estate owned by the judgment debtors. Private Ops performed 35 asset searches for the Receiver. The judgment debtors on whom the Receiver obtained assets searches are listed in Exhibit 1. Where the Receiver believed there was a fair likelihood of recovery on a judgment, he engaged individual collection counsel to pursue collection on those judgments. For the judgments where it appeared the collection efforts would be unsuccessful or where the collection costs might exceed the likely recovery, the Receiver assigned them to a single collection law firm which has a nationwide collection practice.

The steps taken by collection counsel to recover on the judgments proposed to be auctioned and the status of any collateral collection proceeding are identified in the following table:

Judgment and District of Utah Case Number	Judgment Amount	Collateral Proceeding
Al and Cherylyn Sellers; 2:11-cv-950	\$144,200.00	Judgment domesticated in Texas.
Connie Patterson; 2:11-cv-723	\$1,966,417.00	Judgment domesticated and recorded in Texas.
Houston Zero; 2:11-cv-956	\$ 10,000.00	Judgment domesticated in Texas; a further asset search has been conducted.

Judgment and District of Utah Case Number	Judgment Amount	Collateral Proceeding
Jerome Carter; 2:11-cv-722	\$798,753.23	Judgment domesticated and recorded in Texas.
Jesus Enrique Baca Delgado; 2:12-cv-105	\$75,100.00	Judgment domesticated in Florida.
Kathryn Payton; 2:12-cv-48	\$455,125.00	Judgment domesticated and recorded in Texas.
Kathy Grady; 2:12-cv-66	\$49,625.84	Judgment domesticated in Oklahoma.
Keith Shaffner 2:12-cv-16	\$362,188.78	No collateral proceeding at this time. Collection counsel has not yet identified the location of any assets that can be levied.
Khiem Allen Le; 2:12-cv-77	\$127,244.82	No collateral proceeding at this time. Collection counsel has not yet identified the location of any assets that can be levied.
King & King & Jones; 2:12-cv-51	\$25,000.00	Collection action and Answer filed in Georgia, Dekalb County, Case No. 12CV8596-1.
Lisa Pham; 2:11-cv-1155	\$122,000.00	Judgment domesticated in Pennsylvania. Sheriff has levied assets, but they were claimed by a third party. Debtor examination scheduled for December 8, 2016.
Lou Georges; 2:12-cv-76	\$48,500.00	No collateral proceeding at this time. Potential collection counsel in Texas determined Georges had insufficient assets to justify collection efforts.
MME Group /Robert Ruzzo Righetti; 2:12-cv-78	\$483,000.00	Judgment domesticated and recorded in Texas.
Mykal Pitts; 2:11-cv-957	\$332,298.00	Judgment domesticated and recorded in Texas.
Nancy Howe d/b/a Howe Financial and Leo Renaud; 2:11-cv-1160	\$2,279,187.71	No collateral proceeding at this time. Collection counsel has not yet identified the location of any assets that can be levied.
Nicole Adams; 2:11-cv-951	\$36,750.00	Judgment domesticated in Louisiana. Proceeding scheduled for December 5, 2015
Nunzio Bruno; 2:12-cv-58	\$203,052.66	Debtor has filed Chapter 7 bankruptcy. Collection efforts have halted.
Onti Management Group and Robert Quinton Cook; 2:12-cv-117	\$25,355.00	No collateral proceeding at this time. Onti is a defunct entity. Collection counsel has not yet identified the location of any assets that can be levied.
PacificWin 2:12-cv-116	\$164,000.00	Defendant is making \$150.00 monthly payments jointly with Warren Chiu pursuant to an informal settlement agreement with

Judgment and District of Utah Case Number	Judgment Amount	Collateral Proceeding
		collection counsel.
Ryan Runia; 2:12-cv-79	\$82,071.40	Judgment domesticated in Nevada, U.S. District Court, Case No. 2:16-ms-00092.
Warren Wai Hung Chiu 2:12-cv-116	\$767,570.63	Defendant is making \$150.00 monthly payments jointly with PacificWin pursuant to an informal settlement agreement with collection counsel.
William Ison; 2:12-cv-55	\$185,501.03	No collateral proceeding at this time. Defendant is currently in prison, having been sentenced to 27 months at a hearing on November 6, 2016.
William T. Cornelius and Cornelius & Salhab; 2:11-cv- 1159	\$89,845.73	Pending collection matter in Texas, Harris County, Case No. 2014-33733. While Mr. Cornelius filed bankruptcy, this bankruptcy case had been dismissed without a discharge. Garnishment motions pending as to JP Morgan Chase, N.A. (Case No. 2014-33733-B), and Bank of America (Case No. 2014-33733-A).
Wings Over the World and Terry Harper; 2:12-cv-23	\$335,470.07	Judgment domesticated in Ohio.
Winnie Chiu 2:12-cv-116	\$110,000.00	Making \$150.00 monthly payments jointly with Warren Chiu and PacificWin pursuant to informal settlement agreement with collection counsel.
Clayton Ballard, 2:11-cv-767	\$577,592.57	Consent Judgment entered allowing collection if income and assets exceed set level.
Lewis Scogin, 2:12-cv-121	\$1,116,317.78	Consent Judgment entered allowing collection if income and assets exceed set level.

DATED this 30th day of November, 2016.

MANNING CURTIS BRADSHAW
& BEDNAR, PLLC

/s/ David C. Castleberry

David C. Castleberry
Christopher M. Glauser
Attorneys for R. Wayne Klein, Receiver

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing **RECEIVER'S SUPPLEMENTAL NOTICE RE MOTION REQUESTING ORDER APPROVING: (1) PUBLIC SALE OF OUTSTANDING JUDGMENTS AND RESIDUAL RECEIVERSHIP ASSETS; (2) METHOD AND FORM OF PUBLICATION NOTICE; AND (3) PUBLIC AUCTION PROCEDURES AND MEMORANDUM IN SUPPORT** to be served in the method indicated below to the Defendants in this action this 30th day of November, 2016.

VIA FACSIMILE
 VIA HAND DELIVERY
 VIA U.S. MAIL
 VIA FEDERAL EXPRESS
 VIA EMAIL
 VIA ECF

Alan I. Edelman
James H. Holl, III
Gretchen L. Lowe
U.S. Commodity Futures Trading
Commission
1155 21st Street, NW
Washington, DC 20581
jholl@cftc.gov
glowe@cftc.gov
aedelman@cftc.gov

VIA FACSIMILE
 VIA HAND DELIVERY
 VIA U.S. MAIL
 VIA FEDERAL EXPRESS
 VIA EMAIL
 VIA ECF

Robert L. Holloway, Inmate No. 29851-298
FCI Fort Worth
PO Box 15330
Fort Worth, TX 76119
Defendant

VIA FACSIMILE
 VIA HAND DELIVERY
 VIA U.S. MAIL
 VIA FEDERAL EXPRESS
 VIA EMAIL
 VIA ECF

Robert Andres, Inmate No. 71972-279
FCI Englewood
9595 West Quincy Avenue
Littleton, CO 80123
Defendant

/s/ David C. Castleberry

Name
Aishwariya Enterprises
Al Sellers
Cherylyn Sellers
Clayton Ballard
Connie Patterson
Forres McGraw
Garry Smith
Houston Zero
Jerome Carter
Jesus Enrique Baca Delgado
Kathryn Payton
Kathy Grady
Keith Shaffner
Khiem Allen Le
Leo Renaud
Lewis Scogin
Linh Nguyen
Lisa Pham
Lou Georges
M & K Ventures
Nancy Howe
Nicole Adams
Nunzio Bruno
Onti Management
Patty Ison
Robert Penedo
Robert Q. Cook
Robert Righetti
Ryan Runia
Terry Harper
Ursula Andres
Warren Wai Hung Chiu
William Ison
Wings over the World
Winnie Chiu

{01439677.DOC / 2}