

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES)
AND EXCHANGE COMMISSION,)

Plaintiff,)

v.)

VEROS PARTNERS, INC,)
MATTHEW D. HAAB,)
JEFFERY B. RISINGER,)
VEROS FARM LOAN HOLDING LLC,)
TOBIN J. SENEFELD,)
FARMGROWCAP LLC,)
PINCAP LLC, and)

Defendants,)

PIN FINANCIAL LLC,)

Relief Defendant.)

Case No. 1:15-cv-659-JMS-MJD

**RECEIVER’S REQUEST FOR HEARING ON INTERIM REQUEST
TO RETAIN FIVE PERCENT (5%) OF THE FUNDS FROM PRIVATE PLACEMENTS
DISTRIBUTED OR PAID TO INVESTORS**

William E. Wendling, Jr., the Receiver herein, by counsel, respectfully requests the Court to set a hearing on the Receiver’s request to retain five percent (5%) of the funds from Jennings Design, LLC 2014 Secured Loans (“Jennings Design”) and True Blue Berry Mgmt LLC 2015 Secured Loans (“True Blue 2015”) as set forth in the Receiver’s motion for authority to make interim distributions to the investors of the Private Placements, Jennings Design, LLC 2014 Secured Loans (“Jennings Design”) and True Blue Berry Mgmt LLC 2015 Secured Loans (“True Blue 2015”) [[Filing No. 152](#)]. In support of this Request, the Receiver states:

1. On December 18, 2015, the Receiver filed his motion for authority to make interim distributions to the investors of the Private Placements, Jennings Design, LLC 2014 Secured Loans (“Jennings Design”) and True Blue Berry Mgmt LLC 2015 Secured Loans (“True Blue 2015”) and to retain five percent (5%) of the funds from each account to serve as an escrow for any unanticipated expenses of the Receivership relating to the Veros Partners, Inc., Private Placements [[Filing No. 152](#)].

2. On December 24, 2015, the Receiver filed his Notice of Investors Objection to Receiver’s Motion to Retain Five Percent (5%) from Interim Distributions [[Filing No. 153](#)]. As set forth therein, Andre Guillaume is an investor who purports to act on behalf of multiple investors and has expressed an objection to the Receiver’s request to make an interim distribution to the investors in the two Private Placements and, out of an abundance of caution, to retain five percent (5%) of the funds for administrative expenses related to the private placements to help defray costs associated with the Receiver’s and accountants’ review, and any other unexpected or miscellaneous expenses that may arise. This is also despite the Receiver’s statement to the investors and to the Court that any funds not needed for expenses attributed to the Private Placements can later and should be distributed to the investors.

3. Accordingly, the Receiver believes this issue should heard by the Court for its determination, after notice and hearing on the same, and believes that approximately one (1) hour of the Court’s time would be required.. Further, the Receiver has consulted with the SEC counsel who informed the Receiver that their calendar would allow them to be available for hearing on this matter as early as the afternoon of January 19, 2016, or thereafter.

WHEREFORE, the Receiver, by counsel, requests that this Court enter an order setting this issue for hearing on or after the afternoon of January 19, 2016, and for all other proper relief.

Respectfully submitted,

By s/Anne Hensley Poindexter.
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Counsel for the Receiver

Certificate of Service

I hereby certify that on December 29th, 2015, a copy of the foregoing ***Receiver's Request for Hearing on Receiver's Request to Retain Five Percent (5%) of the Funds From Each Account*** was filed electronically. Notice of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Anne Hensley Poindexter.
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