

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,**

Plaintiff,

v.

**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

**PLAINTIFF’S MOTION FOR AUTHORITY TO
TRANSFER SETTLEMENT FUNDS TO THE RECEIVER**

Plaintiff United States Securities and Exchange Commission (“the SEC”) respectfully requests that this Court enter an Order authorizing the SEC to transfer the settlement funds from Matthew D. Haab and Jeffery B. Risinger to the Receiver, William B. Wendling, for distribution to investors.

1. On April 22, 2015, the SEC filed a complaint in this matter alleging that Haab and Risinger violated the Securities Act of 1933 (“the Securities Act”), the Securities Exchange Act of 1934 (“the Exchange Act”), and that Haab violated the Investment Advisers Act of 1940 (“the Advisers Act”), by fraudulently raising at least \$15 million from 80 investors in connection with two private farm loan offerings. [Filing No. 1] On June 11, 2015, the SEC filed its Amended Complaint containing substantially the same allegations. [Filing No. 57]

2. Haab agreed to resolve the SEC's claims in this matter through the entry of a final judgment which: (a) permanently enjoined him from violating Section 17(a) of the Securities Act, Section 10(b) of the Exchange Act and Rule 10b-5 thereunder, and Sections 206(1) and 206(2) of the Advisers Act; (b) found Haab jointly and severally liable with Veros Partners, Inc. for disgorgement of \$563,121 plus prejudgment interest of \$40,681.19; and (c) required Haab to pay only \$183,640 of this amount and waives collection of the remainder based on Haab's sworn representations about his financial condition.

3. The Final Judgment as to Haab was entered on September 14, 2016.

4. Risinger agreed to resolve the SEC's claims in this matter through the entry of a final judgment which: (a) permanently enjoined him from violating Section 17(a) of the Securities Act, and Section 10(b) of the Exchange Act and Rule 10b-5 thereunder; (b) found Risinger liable for disgorgement of \$967,197 plus prejudgment interest of \$69,872.61; and (c) required Risinger to pay only \$100,000 of this amount and waives collection of the remainder based on Risinger's sworn representations about his financial condition.

5. The Final Judgment as to Jeffery B. Risinger was entered on September 14, 2016.

6. Haab and Risinger have paid the settlement funds totaling \$283,640 ("Settlement Funds").

7. The SEC believes it is in the best interest of the investors for the Settlement Funds to be transferred to the Receiver.

8. The Receiver and his counsel have reviewed this motion and agree that the Settlement Funds should be transferred to the Receiver.

Wherefore, Plaintiff Securities and Exchange Commission respectfully requests that

this Court enter an Order authorizing Plaintiff to transfer Settlement Funds to the Receiver for distribution to investors.

Dated: June 30, 2017

Respectfully submitted,

/s/Doressia L. Hutton

Robert M. Moyer (MoyeR@sec.gov)

Doressia L. Hutton (HuttonD@sec.gov)

U.S. Securities and Exchange Commission

Chicago Regional Office

175 West Jackson Blvd, Suite 1450

Chicago, Illinois 60604

(312) 353-7390

(312)353-7398 (fax)

*Attorneys for Plaintiff United States
Securities and Exchange Commission*

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2017, the foregoing Plaintiff's Motion For Authority To Transfer Settlement Funds To The Receiver was filed electronically. Notice of this filing will be made on all ECF-registered counsel of record through the Court's ECF filing system.

Service will be made on Defendant Tobin Senefeld via U.S. Mail at 6329 Glen Coe Drive, Indianapolis, IN 46260 and via email.

/s/Doressia L. Hutton

Doressia L. Hutton