

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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UNITED STATES SECURITIES))
AND EXCHANGE COMMISSION,))
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Plaintiff,))
))
v.)	Case No. 1:15-cv-659-JMS-MJD
))
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.))
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RECEIVER’S MOTION FOR RELIEF FROM ORDER

William E. Wendling, Jr., the Receiver herein, by counsel, pursuant to Fed. R. Civ. P. 60(b)(1) respectfully requests the Court grant him relief from the Court’s Order Authorizing Receiver to Assign to Each FarmGrowCap, LLC, Investor Their Proportionate Share of the Williams Judgment, to Abandon FarmGrowCap LLC’s Claims Against RJW Williams Farms, Inc., James R. Williams and Robert Williams After Assignment to Investors, and Release of FarmGrowCap, LLC from Receivership Upon Assignment of Judgment and Final Distribution of Funds to Investors. In support of this motion, the Receiver states:

1. On December 14, 2017, the Receiver filed herein his Motion for Authority to Assign to FarmGrowCap, LLC Investors Their Proportionate Share in the Judgment FarmGrowCap, LLC has Against James R. Williams and Robert Williams, to Abandon FarmGrowCap, LLC's Claims Against RJW Williams Farms, Inc., James R. Williams and Robert Williams After Assignment to Investors, and to Release FarmGrowCap, LLC From the Receivership Upon Assignment of Judgment and Final Distribution to FarmGrowCap, LLC Investors [[Filing No. 458](#)].

2. On December 15, 2017, the Court entered its Order granting Receiver's motion [[Filing No. 459](#)]. However, the Order contains a scrivener's error in that it assigns to the FarmGrowCap, LLC Investors his or her proportionate share of a judgment FarmGrowCap, LLC purportedly holds against RJW Williams Farms, Inc. RJW Williams Farms, Inc. has filed for bankruptcy and FarmGrowCap, LLC holds no such judgment against RJW Williams Farms, Inc.

3. Pursuant to Fed. R. Civ. P. 60(b)(1), the Receiver hereby requests that the Court relieve the Receiver and FarmGrowCap, LLC from the December 15, 2017, Order Authorizing Receiver to Assign to Each FarmGrowCap, LLC, Investor Their Proportionate Share of the Williams Judgment, to Abandon FarmGrowCap LLC's Claims Against RJW Williams Farms, Inc., James R. Williams and Robert Williams After Assignment to Investors, and Release of FarmGrowCap, LLC from Receivership Upon Assignment of Judgment and Final Distribution of Funds to Investors and enter an amended order thereon.

WHEREFORE, the Receiver, by counsel, requests that, pursuant to Fed. R. Civ. P. 60(b)(1), the Court grant him relief from the Court's December 15, 2017, Order, that the Court enter an amended order thereon, and for all other proper relief.

Dated: December 21, 2017

/s/ William E. Wendling, Jr.

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Respectfully submitted,

By /s/ Anne Hensley Poindexter

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Counsel for the Receiver

Certificate of Service

I hereby certify that on December 21, 2017, a copy of the foregoing **Motion for Relief from Order** 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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