

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 23-cv-24903-JB

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

RISHI KAPOOR; *et al.*,

Defendants.

**ORDER GRANTING RECEIVER'S MOTION TO APPROVE EMPLOYMENT
OF AUCTIONEER AND AUCTION SALE OF PERSONAL PROPERTY**

THIS CAUSE came before the Court upon the Receiver, Bernice C. Lee's Motion to Approve Employment of Auctioneer and Auction Sale of Personal Property. ECF No. [99]. Upon due consideration of the Receiver's Motion and noting that the relief sought is unopposed, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Receiver's Motion, ECF No. [99], is **GRANTED**.
2. The Receiver is authorized to employ Martin Claire & Co. LLC ("Martin Claire") as auctioneer as described in the Motion and pursuant to the Proposal attached to the Motion, and to compensate Martin Claire in accordance with the terms set forth in the Motion.
3. The Receiver is authorized to conduct an auction sale of the Personal Property, as defined in the Motion and described herein, on April 19, 2024 or at such other time and on such terms as the Receiver, in

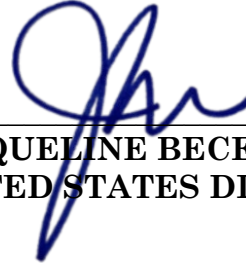
consultation with Martin Claire, determines are reasonable and appropriate. Any buyer at the auction sale will be required to remove the purchased property within 72 hours after completion of the auction.

4. Except as set forth below, any person or entity claiming an interest in any of the Personal Property must, at least 2 weeks prior to April 19, 2024, advise the Receiver of their asserted interest in the Personal Property and provide proof of its acquisition with funds that are not attributable to funds derived from investors or clients of the Receivership Companies, held in constructive trust for the Receivership Companies, fraudulently transferred by the Receivership Companies, or otherwise be includable as assets of the estates of the Receivership Companies.
5. With respect to Office 510 in the Property, Rishi Kapoor has claimed that he owns the following items listed on the inventory attached as Exhibit C to the Motion (the "Claimed Items"): (a) paw print painting, (b) two desks that are old dining tables, (c) a green couch, (d) two barrel chairs, (e) coffee table, (f) a model plane, (g) a metal sculpture man pulling cart, (h) Studio 54 book by Ian Schrager, (i) monopoly sets, (j) Painting Made in USA 5x3 Men on Bench, (k) Painting "Yes I Am" 3x4, and (l) Painting 4x3 landscape abstract. In addition, Mr. Kapoor has claimed that he owns the following additional items that may be in

Office 510 of the Property, which are not included in the inventory: certain coffee table style books, figurine of an Indian God, some photos, cup holders, and coasters (the “Additional Items”). With respect to the Claimed Items and the Additional Items (to the extent they are located by the Receiver), in the event Mr. Kapoor files an objection with the Court two weeks prior to April 19, 2024, and the Court does not resolve the objection prior to April 19, 2024, Mr. Kapoor may arrange to have such items removed from the premises and stored in a secure location that is disclosed to the SEC and Receiver, with all removal, transportation, storage and related expenses paid for by Mr. Kapoor, and such items will be removed from the auction sale pending the Court’s determination as to ownership of the Claimed Items. If the foregoing items are not removed and stored in accordance with these provisions, they will be included in the auction. In the event the Court determines that Mr. Kapoor owns the foregoing items, such items remain subject to the Asset Freeze Order.

6. Any purchaser of the Personal Property at auction shall acquire title free and clear of any lien, claim or interest of any other person or entity. To the extent any party can demonstrate the existence of a valid, perfected lien against any of the Personal Property, any such valid, perfected lien will attach to the proceeds of the sale.

DONE AND ORDERED in Miami, Florida this 22nd day of March, 2024.

A handwritten signature in blue ink, appearing to read 'JB', is written over a horizontal line.

JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE