

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 23-24903-CIV-JB

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RISHI KAPOOR, et al.,

Defendants.

**ORDER GRANTING RECEIVER'S MOTION TO APPROVE
THIRD PARTY LITIGATION PROCEDURES AND
CONTINGENCY FEE ARRANGEMENT**

THIS CAUSE comes before the Court on the Receiver's Motion to Approve Third-Party Litigation Procedures and Contingency Fee Arrangement. ECF No. [490]. Non-parties CWL-CH, LLC, ASJAIA, LLC and VIEDEN GROVE OZ, LLC filed a Response in Opposition to the Motion, to which the Receiver filed a Reply. ECF Nos. [496], [497]. Non-party Mironest CG, LLC also filed an Objection and Reservation of Rights in Response to the Motion, to which the Receiver filed a Reply. ECF Nos. [508], [510]. In accordance with the Court's Paperless Order dated June 3, 2026, ECF No. [544], the Receiver filed an *Ex Parte* Sealed Notice describing contemplated third-party litigation. ECF No. [547-1].

Upon careful consideration of the foregoing submissions, the pertinent portions of the record, and the relevant authorities, and for the reasons articulated on the record at the Status Conference held on June 1, 2026 which are incorporated herein, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The Receiver's Motion to Approve Third-Party Litigation Procedures and Contingency Fee Arrangement, ECF No. [490], is **GRANTED** as set forth herein.

2. The Receiver may pursue the Additional Third-Party Claims as defined and referenced in the motion, and the following procedures are approved:

a. The Receiver, in her discretion, may: (i) issue demand letters to individuals and entities against whom the Receiver has Additional Third-Party Claims in which the Receiver will offer to settle such claims for the repayment of liability, and not seek prejudgment interest; (ii) initiate litigation against defendants of Additional Third-Party Claims, with or without having issued demand letters to the defendants, which lawsuits will set forth the full amount of liability against each defendant as well as other available relief including, but not limited to, attorney's fees and costs, prejudgment interest and/or postjudgment interest; and (iii) settle any Additional Third-Party Claim prior to or after issuing a demand letter or filing a lawsuit, and take into account any relevant factor, including collectability, which will be subject to proof and documentation satisfactory to the Receiver.

b. The Receiver, consistent with Paragraph 37 of the Order Granting Plaintiff Securities and Exchange Commission's Expedited Motion for Appointment of Receiver, Asset Freeze, and Other Relief Against the Company Defendants, ECF No. [28], shall provide prior notice to counsel for the S.E.C. before commencing actions, and shall

provide the S.E.C. with an opportunity, within [7] days of such notice, to advise the Court of the S.E.C.'s objection (if any) prior to the Receiver's filing such action.

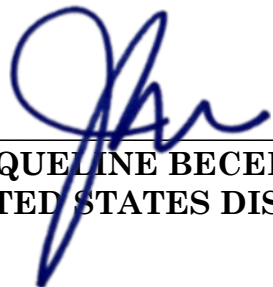
c. In the event the Receiver settles any Additional Third-Party Claim asserted by the Receiver, the Receiver is permitted to receive settlement funds upon the settling party's execution of the settlement agreement, hold such funds pending Court approval, and seek court approval after receipt of such funds.

d. The Receiver will include the above-referenced case as a related case in the civil cover sheet for each Additional Third-Party Claim lawsuit filed in this District for the judges involved to consider.

3. The Receiver may engage Kozyak Tropin & Throckmorton, LLP ("KTT") as counsel under the following adjusted fee arrangement: (a) 27.5% of any gross recovery of up to \$5 million, 25% of any gross recovery between \$5 and 15 million, and 20% of any gross recovery in excess of \$15 million, realized, generated, received or obtained on a particular Additional Third-Party Claim pre-suit; (b) 30% of any gross recovery of up to \$5 million, 27.5% of any gross recovery between \$5 and 15 million, and 25% of any gross recovery in excess of \$15 million realized, generated, received or obtained on a particular Additional Third-Party Claim after filing suit but prior to the filing of an answer; and (c) 33% of any gross recovery of up to \$5 million, 30% of any gross recovery between \$5 and 15 million, and 27.5%

- of any gross recovery in excess of \$15 million, realized, generated, received or on a particular Additional Third-Party Claim after an answer is filed.
4. Notwithstanding the above, the Court retains the authority to review and approve the reasonableness of any fee petition. As such, requests for payment of contingency fees for any Additional Third-Party Claim must be included in motions to approve settlement of such claims, or sought by other appropriate motion or application. Expenses associated with Additional Third-Party Claims will be reimbursed by the receivership estate following Court approval of the Receiver's application for such expenses.

DONE AND ORDERED in Miami, Florida this 22nd day of June, 2026.



JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE