#### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

## SECURITIES AND EXCHANGE COMMISSION,

Case No.: 9:18-CV-81038-DMM

Plaintiff,

v.

PALM HOUSE HOTEL, LLLP, et al.,

**Defendants and Relief Defendants.** 

#### PLAINTIFF'S NOTICE OF THE FILING OF THE DISTRIBUTION AGENT'S THIRTEENTH PROGRESS REPORT

Pursuant to this Court's Order entered June 18, 2020 (ECF No. 100), Plaintiff Securities

and Exchange Commission (the "SEC") hereby files the Distribution Agent's Thirteenth

Progress Report, attached hereto as Exhibit A. The undersigned notes that, subsequent to

December 31, 2023 (the date of the attached report), it has received some additional funds that it

anticipates will be distributed by the Distribution Agent in 2024.

Dated: January 12, 2024

Respectfully submitted,

/s/ Catherine E. Pappas

Catherine E. Pappas (PA Bar 56544) pappasc@sec.gov U.S. Securities and Exchange Commission 1617 JFK Blvd., Suite 520 Philadelphia, PA 19103 (215) 597-0657

Attorney for Plaintiff United States Securities and Exchange Commission

#### **Certificate of Service**

I hereby certify that, on January 12, 2024, I caused a true and correct copy of the foregoing to be served on all counsel or parties of record as set forth on the Service List below.

<u>/s/ Catherine E. Pappas</u> Catherine E. Pappas

#### Service List

*Via CM-ECF* Christopher W. Kammerer Email: ckammerer@rkjlawgroup.com Rabin Kammerer Johnson, P.A. 1601 Forum Place, Suite 201 West Palm Beach, FL 33401

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## Via Email (ECF 36) joedirect@gmail.com

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Philip J. Landau Eric Pendergraft Shraiberg, Landau, & Page P.A. 2385 N.W. Executive Center Dr. Suite 300 Boca Raton, FL 33431 plandau@slp.law EPendergraft@slp.law Liquidating Trustee, 160 Royal Palm LLC Via USPS and Email (ECF 36) Joseph J. Walsh, Sr., c/o Henry Bennett Handler, Esq. Weiss, Handler & Cornwell, P.A. 2255 Glades Road, Suite 218A Boca Raton, FL 33431-7391 hbh@whcfla.com

#### Via Email

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> Scott N. Brown, Esq. Bast Amron LLP Sun Trust International Center One Southeast 3rd Ave., Suite 1400 Miami, FL 33131 sbrown@bastamron.com Trustee, South Atlantic Regional Center, LLC

#### Via First Class Mail

160 Royal Palm, LLC Registered Agent: Leslie R. Evans 214 Brazilian Ave., #200 Palm Beach, FL 33480

Palm House Hotel, LLLP 9250 Belvedere Road Suite 101 Royal Palm Beach, FL 33411 South Atlantic Regional Center, LLC 9250 Belvedere Road Suite 101 Royal Palm Beach, FL 33411

United States Regional Economic Development Authority LLC 9250 Belvedere Road Suite 101 Royal Palm Beach, FL 33411 Case 9:18-cv-81038-DMM Document 115-1 Entered on FLSD Docket 01/12/2024 Page 1 of 4

Exhibit A

#### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

# SECURITIES AND EXCHANGE COMMISSION,

Case No.: 9:18-CV-81038-DMM

Plaintiff,

v.

PALM HOUSE HOTEL, LLLP, et al.,

Defendants and Relief Defendants.

#### THE DISTRIBUTION AGENT'S THIRTEENTH STATUS REPORT

JND Legal Administration ("JND"), the Court-appointed Distribution Agent in the abovecaptioned matter, respectfully submits this Status Report pursuant to this Court's Order entered June 18, 2020 (the "Order", ECF No. 100) and the Plan of Distribution approved by the Court on November 13, 2020 (the "Plan", ECF Nos. 101-2 and 102). By the Order, this Court appointed JND as the Distribution Agent for the collections in this action (the "Distribution Fund"), to oversee the administration and distribution of the Distribution Fund in coordination with the Securities and Exchange Commission's ("SEC") counsel of record. Pursuant to paragraph 4(i) of the Order, the Distribution Agent is required to file with the Court or provide to the SEC's counsel of record to file with the Court, quarterly status reports. This report covers the quarter ending December 31, 2023.

#### Tasks Performed by the Distribution Agent Since the Twelfth Progress Report

Since the twelfth progress report, JND has performed the following tasks in connection with its role as the Court-appointed Distribution Agent in the instant case:

- Continued to maintain and monitor the toll-free number and distribution website; and
- Provided this status report to the SEC staff.

#### **Anticipated Next Steps**

In the next quarter, JND anticipates that it will:

- Await funding, if any, for a third distribution; and •
- Provide the Fourteenth Status Report to the SEC staff, including an Accounting Report, as required by paragraph 4(i) of the Appointment Order within 20 days of March 31, 2024.

Dated: January 10, 2024

Respectfully submitted,

ejula By:

Luiggy Segura JND Legal Administration **Distribution Agent** 3333 New Hyde Park Road New Hyde Park, NY 11042 Phone: 1-800-207-7160

# Exhibit 1

### JND Legal Administration SEC v. Palm House Hotel Distribution Fund Accounting Report for the Period Ending December 31, 2023

Date of Transfer	April 12, 2021		
Origin of Transfer	U.S. Treasury's Bureau of Fiscal Service ("BFS")		
Case Name and Number	SEC v. Palm House Hotel LLLP, et al.; Case No: 18-81038-CV-MIDDLEBROOKS (N.D. TX).		
Location & Types of Accounts	The Huntington National Bank; Escrow and Deposit Accounts		

	Monthly Activity		In	Inception-To-Date		
Fund Balance Reconciliation	Items	Amount	Items	Amount		
Initial Deposit				\$	6,631,071.3	
Initial Distribution						
Completed Payments			88	\$	(6,433,521.52)	
Second Distribution						
Initial Distribution Residual				\$	197,549.83	
Second Deposit				\$	693,963.71	
Interest				\$	2,742.09	
Completed Payments			88	\$	(893,121.92)	
Final Current Balance				\$	1,133.71	
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