



Waller Lansden Dortch & Davis, LLP
511 Union Street, Suite 2700
P.O. Box 198966
Nashville, TN 37219-8966

615.244.6380 main
615.244.6804 fax
wallerlaw.com

Blake D. Roth
615.850.8749 direct
Blake.Roth@wallerlaw.com

Oct. 16, 2020

BY ECF

Honorable Michael A. Shipp
United States District Judge
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street Room 2020
Trenton, NJ 08608

Honorable Lois H. Goodman
United States Magistrate Judge
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street Room 2020
Trenton, NJ 08608

Re: *Securities and Exchange Commission v. Dwayne Edwards, et al.*
Case No. 2:17-393-ES-SCM

Dear Judge Shipp and Judge Goodman:

This Firm represents the court-appointed Receiver, Derek Pierce, in the above-referenced SEC enforcement action. We write with respect to the Receiver's *Notice of Motion to Discharge Receiver and to Approve Final Accounting* [Dkt. No. 408] and *Brief in Support of Receiver's Motion to Discharge Receiver and to Approve Final Accounting* [Dkt. 409] and the fee applications filed therewith for Healthcare Management Partners [Dkt. 400], Waller Lansden Dortch and Davis [Dkt. No. 402], Elliott Davis LLC [Dkt. No. 404], and DeFrain and Million [Dkt. No. 406] (Dkt. Nos. 400, 402, 404, 406, 408 and 409 will be collectively referred to herein as the "**June 26 Motions**" and each individually as a "**June 26 Motion**").

The Objection Deadline for each June 26 Motion was July 6, 2020, which has since passed. The Motion Day for each June 26 Motion was July 20, 2020, which has also since passed. No objections by any party have been filed for any of the June 26 Motions. However, each June 26 Motion is still pending since its date of filing.

This Court's ruling on the June 26 Motions is the last item to be completed for the receivership to be effectively terminated. When the receivership is terminated, the Receiver will be able to distribute the remaining cash to the indenture trustees who will then be able to make final distributions to bondholders.

The Receiver would greatly appreciate the Court's attention to the June 26 Motions. The Receiver regularly receives calls from bondholders inquiring as to when the remaining



Honorable Michael A. Shipp
Honorable Lois H. Goodman
Oct. 16, 2020
Page 2

distributions will be forthcoming. The Receiver respectfully requests that the court rule on the June 26 Motions. Doing so will permit the Receiver to make a final distribution to the Indenture Trustees.

Respectfully submitted,

/s/ Blake D. Roth
Blake D. Roth
Ryan K. Cochran (admitted pro hac vice)
WALLER LANSDEN DORTCH & DAVIS, LLP
511 Union Street, Suite 2700
Nashville, Tennessee 37219
Telephone: 615.244.6380
Email: blake.roth@wallerlaw.com
ryan.cochran@wallerlaw.com

Counsel for the Receiver

BDR/aht

cc: All counsel of record (by ECF)
Ryan K. Cochran (Counsel for the Receiver)
William F. Ryan (Counsel for the Receiver)
Thomas B.K. Ringe, III, (Counsel for Carr, Riggs, & Ingram, LLC)
Patrick Matusky, (Counsel for Carr, Riggs, & Ingram, LLC)
Nora R. O'Neill (Counsel for BOKF, National Association, as indenture trustee)
George M. Taylor (Counsel for U.S. Bank, National Association, as indenture trustee)
Thomas Longino (Counsel for UMB Bank, N.A., as indenture trustee)
David Henry Tutor (Counsel for Securities & Exchange Commission)
Lee Attix Greenwood (Counsel for Securities & Exchange Commission)
Neal Ralph Jacobson (Counsel for Securities & Exchange Commission)
Joseph Schramm, III (Counsel for Todd Barker)