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**ROBB EVANS & ASSOCIATES LLC**

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 FEDERAL TRADE COMMISSION,  
14 Plaintiff,

15 v.

16 AWS, LLC, et al.,  
17 Defendants.

Case No. 2:18-cv-00442-JCM-BNW

**NOTICE OF FILING OF MOTION FOR  
ORDER APPROVING FINAL REPORT  
AND ACCOUNTING; FINAL REQUEST  
FOR APPROVAL AND PAYMENT OF  
RECEIVER’S AND PROFESSIONALS’  
FEES AND COSTS FROM MAY 1, 2018  
THROUGH CLOSING; FOR DISCHARGE  
AND EXONERATION OF BOND AND  
RELATED RELIEF; AND GRANTING  
RELIEF FROM LOCAL RULE 66-5  
PERTAINING TO NOTICE TO  
CREDITORS**

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24 **PLEASE TAKE NOTICE** that Robb Evans & Associates LLC (“Receiver”), originally  
25 appointed as the Temporary Receiver pursuant to the Court’s Temporary Restraining Order filed  
26 March 14, 2018 (ECF No. 28) and the Stipulated Temporary Restraining Order as to Defendants  
27 Adams Consulting, LLC, Global Marketing Services L.L.C., and Jeffery A. Gomez filed April 18,  
28 2018 (ECF No. 57), and thereafter named Receiver pursuant to the Stipulated Order for

1 Permanent Injunction and Monetary Judgment as to Defendants AWS, LLC, FBA Distributors,  
2 LLC, FBA Stores, LLC, Info Pros, LLC, Info Solutions, LLC, Online Auction Learning Center,  
3 Inc. (Mass Corp.), Online Auction Learning Center Inc. (Nev. Corp.), Christopher F. Bowser,  
4 Adam S. Bowser and Jody L. Marshall (ECF No. 80) (“AWS Judgment”) and the Stipulated  
5 Order for Permanent Injunction and Monetary Judgment as to Defendants Adams Consulting,  
6 LLC, Global Marketing Services L.L.C., and Jeffrey A. Gomez (ECF No. 107) (“Adams  
7 Consulting Judgment”) (collectively, the AWS Judgment and Adams Consulting Judgment are  
8 referred to as the “Stipulated Judgments”) concurrently with the service of this Notice, will move  
9 the Court (the “Motion”) for an order for the following relief:

10 1. Approving the Receiver’s Final Report, which is a part of the Memorandum of  
11 Points and Authorities submitted in support of the Motion, and approving the Receiver’s Final  
12 Accounting, which is attached to the accompanying declaration of Brick Kane (“Kane  
13 Declaration”) as Exhibit 1, served and filed concurrently with the Motion;

14 2. Authorizing and approving the Receiver’s wind up of the receivership estate  
15 pursuant to the Stipulated Judgments;

16 3. Approving and confirming all actions and activities taken by or on behalf of the  
17 Receiver and all proposed actions to be taken, and all payments made by the Receiver and all  
18 proposed payments to be made in connection with the administration of the receivership estate;

19 4. Approving and authorizing for payment the receivership fees and costs incurred  
20 for the period from May 1, 2018 through the closing of the receivership estate (“Final Expense  
21 Period”), including payment of the fees of the Receiver, the Receiver’s members, staff and  
22 professionals, and reimbursement of costs, comprised of: (a) Receiver’s fees, including the  
23 Receiver’s members and staff, of \$71,113.05 and Receiver’s costs of \$20,311.67, for the period  
24 from May 1, 2018 through August 31, 2019, plus estimated Receiver’s fees of \$16,243.50 and  
25 costs of \$27,071.04, for the period from September 1, 2019 through closing of the estate, for total  
26 fees of \$87,356.55 and costs of \$47,382.71, **for a total of \$134,739.26 for the Receiver;** (b) legal  
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1 fees of the Receiver's lead counsel, Barnes & Thornburg LLP ("Barnes & Thornburg") of  
2 \$114,372.97 and costs of \$3,215.28, for the period from May 1, 2018 through August 31, 2019,  
3 plus estimated legal fees of \$28,000.00 and costs of \$2,000.00, for the period from September 1,  
4 2019 through closing of the estate, for total fees of \$142,372.97 and costs of \$5,215.28, **for a**  
5 **total of 147,588.25 for Barnes & Thornburg;** (c) legal fees of the Receiver's local counsel,  
6 Lynch Law Practice, PLLC ("Lynch") of \$20,275.65 and costs of \$527.60, for the period from  
7 May 1, 2018 through August 31, 2019, plus estimated legal fees of \$3,062.10, for the period from  
8 September 1, 2019 through closing of the estate, for total fees of 23,337.75 and costs of \$527.60,  
9 **for a total of \$23,865.35 for Lynch;** and (d) legal fees of the Receiver's special litigation  
10 counsel Diamond McCarthy LLP ("Diamond") of \$22,448.10 and costs of \$81.72 for the period  
11 from September 1, 2018 through July 31, 2019, **for a total of \$22,529.82 for Diamond,** all as set  
12 forth in the Final Accounting, Exhibit 1 to the Kane Declaration, in addition to *de minimis*  
13 amounts incurred above the estimated amounts to be paid without further notice, hearing or Court  
14 order. Actual amounts incurred which are less than the amounts set forth herein shall be  
15 distributed as set forth in the following paragraph 5;

16 5. After the payment of administrative expenses, authorizing the Receiver to  
17 distribute the remaining assets of the receivership estate held by the Receiver, estimated to be  
18 approximately \$7,139,698.84, to the Federal Trade Commission ("FTC") or its designated agent,  
19 in accordance with Section VII of the Adams Consulting Judgment;

20 6. Authorizing the Receiver to destroy all records of the Receivership Entities, as  
21 defined in the Memorandum of Points and Authorities, in the Receiver's possession, custody or  
22 control within 30 days after the Receiver serves written notice on the FTC of the Receiver's  
23 intention to destroy such records, unless the FTC requests possession of the records or another  
24 government agency issues a subpoena for such records, in which case the Receiver is authorized  
25 to turn over the records to the FTC or to the government agency which issued the subpoena;

26 7. Effective upon the completion of the administration of the receivership estate as  
27 described in the Final Report and the distribution of the remaining funds in the Receiver's  
28 possession and custody to the FTC or its agent, for an order (a) providing that neither the

1 Receiver nor any agent, employee, member, officer, independent contractor, attorney, accountant  
2 or representative of the Receiver shall have any liability to any person or entity for any action  
3 taken or not taken in connection with carrying out the Receiver's administration of the  
4 receivership estate, and the exercise of any powers, duties and responsibilities in connection  
5 therewith; and (b) directing that the Receiver, its agents, employees, members, officers,  
6 independent contractors, attorneys, accountants and representatives are discharged, released from  
7 all claims and liabilities arising out of and/or pertaining to the receivership, and relieved of all  
8 duties and responsibilities pertaining to the receivership;

9 8. Exonerating the bond posted by the Receiver in this case, effective upon  
10 completion of the administration of the receivership estate and distribution of the remaining funds  
11 in the Receiver's possession and custody to the FTC or its agent;

12 9. Deeming notice of the Motion to be sufficient based on the service of this notice of  
13 filing of the Motion on all parties and all known non-consumer creditors of the estate and service  
14 of the Motion and all supporting papers on all parties, but not serving the thousands of potential  
15 consumer creditors of the estate; and

16 10. Granting such additional relief in connection with the wind up and closing of the  
17 receivership estate as the Court may determine to be just and proper under the circumstances.

18 **PLEASE TAKE FURTHER NOTICE** that pursuant to Section VII.B of the Adams  
19 Consulting Judgment, any objections to paying any assets of the Corporate Defendants to satisfy  
20 the Receiver's costs and expenses and the monetary judgment set forth in the Adams Consulting  
21 Judgment must be submitted to the Court and served by mail upon the Receiver and the parties  
22 within 28 days of the mailing of this Notice.

23 **PLEASE TAKE FURTHER NOTICE** that the Motion, with all supporting pleadings  
24 and evidence except for the voluminous billing records, will be posted on the Receiver's website  
25 at [robbevans.com](http://robbevans.com).

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**PLEASE TAKE FURTHER NOTICE** that you may request a copy of the Motion, with all supporting pleadings and evidence, including the billing records, by e-mailing the Receiver at fba@robbevans.com.

Dated: October 29, 2019

MICHAEL F. LYNCH  
LYNCH LAW PRACTICE, PLLC

GARY OWEN CARIS  
BARNES & THORNBURG LLP

By:           /s/ Gary Owen Caris            
GARY OWEN CARIS

Attorneys for Receiver  
**ROBB EVANS & ASSOCIATES LLC**

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