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7 Attorneys for Receiver
ROBB EVANS & ASSOCIATES LLC
8

9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 FEDERAL TRADE COMMISSION,
12 Plaintiff,

13 vs.

14 MICHAEL BRUCE MONEYMAKER, a/k/a
Bruce Moneymaker, Mike Smith, and Michael
15 Bruce Millerd, individually, as an officer and
director of the corporate defendants, and also
16 doing business as Fortress Secured; DANIEL
DE LA CRUZ, individually, as an officer and
17 director of the corporate defendants, and also
doing business as Fortress Secured; BELFORT
18 CAPITAL VENTURES, INC., a corporation;
DYNAMIC ONLINE SOLUTIONS, LLC, a
19 limited liability company; HSC LABS, INC., a
corporation; RED DUST STUDIOS, INC., a
20 corporation; SEASIDE VENTURES TRUST,
individually and as an officer and director of
21 the corporate defendants; and JOHN DOE NO.
1, in his capacity as trustee of SEASIDE
22 VENTURES TRUST,

23 Defendants.
24
25

Case No. 2:11-cv-00461-JCM (RJJ)

NOTICE OF MOTION FOR ORDER:

**(1) APPROVING RECEIVER'S FINAL
REPORT AND ACCOUNTING;**

**(2) APPROVING RECEIVER'S AND
PROFESSIONALS' FEES AND
EXPENSES FROM INCEPTION
THROUGH CLOSING;**

**(3) AUTHORIZING ABANDONMENT OF
UNADMINISTERED ASSETS AND
DESTRUCTION OF RECORDS;**

(4) DISCHARGING RECEIVER;

**(5) RELIEVING RECEIVER OF ALL
DUTIES AND LIABILITIES;**

**(6) AUTHORIZING THE TURNOVER OF
ANY REMAINING FUNDS TO
PLAINTIFF; AND**

**(7) GRANTING RELIEF FROM LOCAL
RULE 66-5 PERTAINING TO NOTICE
TO CREDITORS; AND ALL RELATED
RELIEF**

26 **NOTICE IS HEREBY GIVEN** that Motion for Order: (1) Approving Receiver's Final
27 Report And Accounting; (2) Approving Receiver's and Professionals' Fees and Expenses From
28 Inception Through Closing; (3) Authorizing Abandonment of Unadministered Assets and

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1 Destruction of Records; (4) Discharging Receiver; (5) Relieving Receiver Of All Duties And
2 Liabilities; (6) Authorizing the Turnover of Any Remaining Funds o Plaintiff; and (7) Granting
3 Relief From Local Rule 66-5 Pertaining To Notice To Creditors (the “Motion”) was filed on
4 May 22nd, 2013, by Kolesar & Leatham, counsel for Robb Evans & Associates LLC. The
5 Motion seeks the following relief:

- 6 (1) Approval of the Receiver’s final report and accounting;
- 7 (2) Approval of the Receiver’s and professionals’ fees and expenses from the
8 inception of its appointment through its discharge
- 9 (3) Authorization for the abandonment of any unadministered assets and the
10 destruction of the Receivership Defendants’ records;
- 11 (4) Discharge of the Receiver;
- 12 (5) Relief of the Receiver from all duties and liabilities;
- 13 (6) Authorization for the turnover of any remaining funds to Plaintiff Federal Trade
14 Commission;
- 15 (7) Deeming notice of this Motion to be sufficient under Local Rule of Civil
16 Procedure 66-5(f) upon service of a notice of the filing of this Motion and the
17 Motion on all parties, all known non-consumer creditors of the estate, and all
18 parties in interest concurrently with the filing of this Motion with the Court, but
19 not on the tens of thousands of potential consumer creditors; and
- 20 (8) All related relief.

21 Any opposition must be filed pursuant to Local Rule 7-2.

22 **NOTICE IS FURTHER GIVEN** that if you do not want the court to grant the relief
23 sought in the Motion, or if you want the court to consider your views on the Motion, then you
24 must file an opposition with the court, and serve a copy on the person making the Motion *no*
25 *later than 14 days* after the service of the Motion. The opposition must state your position, set
26 forth all relevant facts and legal authority, and be supported by affidavits or declarations that
27 conform to Local Rule 7-2(a).
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2 IF YOU OBJECT TO THE RELIEF REQUESTED, YOU *MUST* FILE A
3 **WRITTEN** RESPONSE TO THIS PLEADING WITH THE COURT. YOU
4 *MUST* ALSO SERVE YOUR WRITTEN RESPONSE ON THE PERSON WHO
5 SENT YOU THIS NOTICE.

6 IF YOU DO NOT FILE A WRITTEN RESPONSE WITH THE COURT,
7 OR IF YOU DO NOT SERVE YOUR WRITTEN RESPONSE ON THE PERSON
8 WHO SENT YOU THIS NOTICE, THEN:

- 9
- 10 • THE COURT MAY *REFUSE TO ALLOW YOU TO SPEAK* AT ANY
11 SCHEDULED HEARING; AND
 - 12 • THE COURT MAY *RULE AGAINST YOU* WITHOUT FORMALLY
13 CALLING THE MATTER AT THE HEARING.
- 14

15 DATED this 22nd day of May, 2013.

16 **KOLESAR & LEATHAM**

17 By 

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