

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FEDERAL TRADE COMMISSION,
and STATE OF OHIO et rel., et al.,

Plaintiffs,

v.

EDUCARE CENTRE SERVICES, INC., et al.,

Defendants.

Case No. 3:19-cv-00196-KC

ORDER GRANTING UNOPPOSED MOTION FOR ORDER (1) APPROVING THE RECEIVER'S FINAL REPORT AND ACCOUNTING; (2) AUTHORIZING PAYMENT OF RECEIVER'S AND RECEIVER'S COUNSELS' FEES AND EXPENSES FOR THE PERIOD FROM JUNE 1, 2020 THROUGH SEPTEMBER 30, 2020 (AND ESTIMATED AMOUNTS TO CLOSE THE RECEIVERSHIP ESTATE); (3) DISCHARGING AND RELEASING THE RECEIVER AND ITS PROFESSIONALS; AND (4) FOR RELATED RELIEF

The Court having reviewed and considered the Application of Robb Evans & Associates LLC, as Receiver ("Receiver") for an order (1) approving the Receiver's Final Report and Accounting; (2) approving payment of the fees and expenses of the Receiver, the Receiver's staff, and the Receiver's outside counsel, Frandzel Robins Bloom & Csato, L.C. ("Frandzel"), for the period from June 1, 2020, through September 30, 2020 (and the estimated amounts to close the receivership estate); (3) discharging and Releasing the Receiver and its professionals; and (4) for related relief ("Motion"), IT IS ORDERED that the Motion is granted in its entirety. Without limitation of the foregoing, IT IS FURTHER ORDERED that:

1. All of the Receiver's activities in connection with its administration of the receivership estate since inception of the receivership estate, which activities are generally described in Doc. Nos. 120, 181, 184, 262-1 (publicly available redacted version), 261 (sealed complete version of Doc. No. 262-1), 267 and in the Receiver's Final Report dated October 21, 2020 and attached as Exhibit 1 to the Declaration of Brick Kane filed in support of the Motion ("Kane Decl."), are hereby confirmed and approved;

2. The Receiver's final accounting as reflected in Receiver's Administrative Expenses and Fund Balance from Inception (July 19, 2019) to September 30, 2020 and Estimate to Close ("Final Accounting"), a copy of which is attached as Exhibit 2 to the Kane Decl. is hereby confirmed and approved;

3. The payment of the fees and expenses of the Receiver and the Receiver's staff, totaling \$93,742.24 (consisting of \$92,612.70 in fees and \$1,129.54 in expenses), and the Receiver's outside counsel, Frandzel, totaling \$79,458.16 (consisting of \$78,736.95 in fees and \$721.21 in costs), for the period from June 1, 2020 through September 30, 2020. The payment of \$2,108.45 to the Receiver's Canadian counsel, Kugler Kandestin SENCRL / LLP also is hereby authorized and approved. Further, the estimated closing fees and expenses of the Receiver and it staff, and the Receiver's counsel, in the total sum of \$120,155.08, as reflected in the Final Accounting, is hereby authorized and approved. The payment of these approved fees and expenses, including the estimated closing fees and expenses, may be paid from the funds in the receivership estate;

4. The Receiver is authorized to and shall pay the projected remaining funds of \$177,017.67 of the receivership estate, plus any unused amounts of the estimated closing fees and costs, to the bank account for InitPro Technologies, Inc., as sole manager of all of the Globex Subsidiaries;

5. The Receiver is hereby authorized to abandon and destroy records of the Receivership Entities and receivership estate in its possession, custody or control if, within 30 days after service of written notice to the Federal Trade Commission ("FTC") of the Receiver's intent to abandon and destroy records, the Receiver has not been served with a written request by the FTC for possession of the records. Further, that if during such 30-day period the FTC serves the Receiver with a written request for the records, the Receiver be authorized to turn over the original records to the FTC; and

6. Effective upon the Receiver's distribution the projected remaining funds of \$177,017.67 of the receivership estate, plus any unused amounts of the estimated closing fees

and costs, to the bank account for InitPro Technologies, Inc., as sole manager of all of the Globex Subsidiaries, the Court hereby discharges Robb Evans & Associates LLC as Receiver, and releases Robb Evans & Associates LLC, its deputies, members, officers, agents, employees, attorneys and representatives from any and all duties, responsibilities, and liabilities in connection with the receivership estate and this action, including any and all claims and liabilities that could have been asserted in the receivership estate and in connection with their administration of the receivership estate.

SIGNED this 23rd day of October, 2020.



KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE