

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SECURITIES AND EXCHANGE COMMISSION,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:12-CV-00080-SNLJ
)	
BURTON DOUGLAS MORRISS, et al.,)	
)	
Defendants,)	
)	
MORRISS HOLDINGS, LLC,)	
)	
Relief Defendant.)	
)	

RECEIVER’S MOTION FOR ORDER APPROVING FINAL DISTRIBUTION OF ASSETS AND AUTHORIZING PAYMENT OF LEGAL AND PROFESSIONAL FEES AND EXPENSES, WIND UP OF PROCEEDING, AND DISCHARGE OF RECEIVER

Receiver Claire M. Schenk, in her capacity as receiver (“Receiver”) for Acartha Group, LLC (“Acartha”), MIC VII, LLC (“MIC VII”), Acartha Technology Partners, L.P. (“ATP”), and Gryphon Investments III, LLC (“Gryphon III”) (collectively, the “Receivership Entities”), submits this *Motion for an Order Approving Final Distribution of Assets and Authorizing Payment of Legal and Professional Fees and Expenses, Wind Up of Proceeding, and Discharge of Receiver* (the “Motion”).

By the Motion, the Receiver requests that the Court: (1) approve the Receiver’s Final Report and accounting, (2) approve and authorize the payment of fees and costs of the Receiver and her retained professionals for the second quarter of 2018 in the amount of \$60,459.76, (3) approve and authorize the payment of the remaining holdback funds to the Receiver and her professionals in the amount of \$123,059.24, (4) authorize the Receiver (i) to establish a post-

receivership reserve in the amount of \$55,000 (the “Reserve”) to cover fees and expenses for activities in furtherance of the wind up of this proceeding, (ii) to pay any and all post-receivership fees and expenses in a self-executing manner, without further Court Order, upon the consent of the SEC, out of the Reserve, and (iii) at the appropriate time and based upon the Receiver’s determination that no further post-receivership fees and expenses remain outstanding, to transfer any receivership funds remaining in the Reserve to the SEC as restitution paid towards the SEC’s judgment in this matter, (5) authorize the Receiver’s final distribution of assets to certain Allowed Claimants as described in the Memorandum in Support and the Final Distribution Schedule attached to the Declaration of Timothy S. O’Shaughnessy, (6) authorize the Receiver to transfer the MIC VII warrant interest to Participating Investors as described in the allocation schedule attached to the Declaration of Receiver, Claire M. Schenk, (7) authorize the Receiver’s disposal and/or destruction of hard copy and electronic records of the Receivership Defendants in the Receiver’s possession, custody, or control, absent a request for possession by the SEC or receipt of a subpoena from a law enforcement agency, (8) authorize the Receiver to abandon any unadministered assets of the estate, (9) authorize the Receiver to the any other acts necessary for wind up of the proceeding, (10) discharge the Receiver and her deputies, agents, employees, members, officers, independent contractors, attorneys, and representatives and release said parties from all duties and responsibilities in this proceeding and from all claims and liabilities arising out of and/or pertaining to the Receivership, and (11) retain jurisdiction over all matters pertaining to this Receivership.

The Receiver supports the above requests with the facts and the law set forth in the accompanying Declarations of Timothy S. O’Shaughnessy and Claire M. Schenk, Receiver, and other exhibits.

For the reasons set forth in the accompanying Memorandum in Support and supporting documents, the Receiver respectfully requests that the Court approve the Receiver's Motion, enter an Order substantially in the form attached hereto as Exhibit G, and grant any other relief necessary and appropriate under the circumstances.

Respectfully Submitted,

THOMPSON COBURN LLP

Dated: August 1, 2018

By /s/ Kathleen E. Kraft
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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2018, I electronically filed the foregoing document with the Clerk of the Court through the Court's CM/ECF system which will send a notice of electronic filing to all counsel of record receiving electronic service.

I further certify that I served the foregoing document via electronic mail on all Interested Parties (as defined herein).

/s/ Kathleen E. Kraft