

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

KINETIC INVESTMENT GROUP, LLC and
MICHAEL SCOTT WILLIAMS,

CASE NO.: 8:20-cv-394

Defendants, and

KINETIC FUNDS I, LLC,
KCL SERVICES, LLC d/b/a LENDACY,
SCIPIO, LLC, LF 42, LLC, EL MORRO
FINANCIAL GROUP, LLC, and KIH, INC.,
f/k/a KINETIC INTERNATIONAL, LLC,

Relief Defendants.

**RECEIVER'S MOTION FOR AUTHORIZATION TO EMPLOY
INFORMATION TECHNOLOGY AND SUPPORT PERSONNEL**

Mark A. Kornfeld, Esq., as Receiver (the “**Receiver**”) appointed over Defendant Kinetic Investment Group, LLC and Relief Defendants Kinetic Funds, LLC, KCL Services, LLC d/b/a Lendacy, Scipio, LLC, LF 42, LLC, and KIH Inc., f/k/a Kinetic International, LLC (collectively, the “**Receivership Entities**”), pursuant to the Court’s March 6, 2020, Order Granting Plaintiff Securities and Exchange Commission’s Emergency Motion for Appointment of Receiver (the “**Order Appointing Receiver**”) (Doc. 34), hereby files his Motion for Authorization to Employ Information Technology and Support Personnel *nunc pro tunc* to March 6, 2020, and states as follows:

1. This action commenced on February 20, 2020, with the filing of the Securities and Exchange Commission’s (“**SEC**”) Complaint against Defendants and Relief

Defendants, the SEC's Emergency Motion and Memorandum of Law for Asset Freeze and Other Relief (Doc. 2), and the SEC's Emergency Motion and Memorandum of Law for Appointment of Receiver (Doc. 3).

2. Following a hearing on March 6, 2020, this Court entered the Order Appointing Receiver appointing Mark A. Kornfeld, Esq. as Receiver of all assets of the Receivership Entities. Pursuant to the Order Appointing Receiver, the Receiver is authorized to, among other things, "engage and employ persons in his discretion to assist him in carrying out his duties and responsibilities hereunder, including, but not limited to, forensic experts," and to also take such action as necessary and appropriate for the preservation of Receivership Property or to prevent the dissipation or concealment of Receivership Property. *See* Order Appointing Receiver at ¶¶ 7,F,G. and 61. This includes assisting the Receiver with taking possession of personal and real property of the Receivership Defendants, including the authorization to "change door locks to the premises described above." *Id.* ¶ 16.

3. Prior to engaging any such professionals, the Receiver must first obtain an Order of this Court authorizing such engagement. *See* Order Appointing Receiver at ¶ 52. Any professionals that the Receiver engages with this Court's approval are "entitled to reasonable compensation and expense reimbursement from the Receivership Estates as described in the 'Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission' ... agreed to by the Receiver."

4. According to evidence presented by the SEC and through the Receiver's research, Receivership Defendants appear to have offices and/or assets located in Sarasota, Florida and San Juan, Puerto Rico.

5. Accordingly, pursuant to the Order Appointing Receiver, the Receiver seeks this Court's approval to engage (i) professionals with the firm E-Hounds ("**E-Hounds**") based in

Tampa, Florida and SupportPR LLC (“**SupportPR**”) based in San Juan, Puerto Rico to assist with securing, imaging, and storing electronic information (collectively, the “**IT Firms**”); (ii) professionals with Darrell’s Locksmith in Sarasota, Florida and Abracadabra Attention in San Juan, Puerto Rico to assist with changing the door locks to the premises described in the Order Appointing Receiver (collectively, the “**Locksmiths**”); and (iii) professionals with International Intelligence Group, LLC in San Juan, Puerto Rico to provide investigative and asset management services to the Receiver with respect to Receivership Property located in San Juan, Puerto Rico (the “**Investigative Personnel**”).

3. The IT Firms. The Receiver seeks to retain the IT Firms to assist with imaging any electronic devices or hardware belonging to the Receivership Entities. The Receiver anticipates that E-Hounds shall serve as the primary IT Firm managing and facilitating access to data imaged from electronic devices and hardware belonging to the Receivership Entities. Adam Sharp, a principal of E-Hounds, has extensive experience in this field and also with assisting court-appointed receivers including in matters brought by the SEC and a copy of his CV is attached as **Exhibit A**. The firm will not request an up-front retainer and has provided preferred hourly rates ranging from \$195 to \$250, with certain additional tasks such as sworn testimony or expert consulting carrying a higher rate as set forth in the proposal attached as **Exhibit B**. The Receiver anticipates primarily using E-Hounds as a clearinghouse for the identification and collection of data, and E-Hounds will offer a review platform carrying a monthly charge of either \$495 (for data less than 100 GB) or \$995 (unlimited data) with no additional servicing or storage fees for such data and the inclusion of two reviewer logins.

4. The Receiver similarly anticipates using SupportPR LLC to provide on-the-ground data collection and imaging for electronic devices and hardware belonging to

Receivership Entities in San Juan, Puerto Rico. SupportPR LLC has agreed to provide their services at an hourly rate ranging from \$150 to \$175 and will not charge any separate storage fees. The Receiver anticipates having E-Hounds work with SupportPR to efficiently facilitate the capture, custody, and transmission of data imaged from electronic devices and hardware belonging to Receivership Entities in San Juan, Puerto Rico. In addition to having a lower rate than E-Hounds, utilizing the services of SupportPR will also avoid having E-Hounds incur additional travel costs.

5. The Locksmiths. The Receiver has obtained quotes from Darrell's Locksmith in Sarasota, Florida and Abracadabra Attention in San Juan, Puerto Rico to assist with changing the locks at all premises covered by the Order Appointing Receiver. Darrell's Locksmith has advised that it will charge \$40 per service call plus \$20 per lock. Abracadabra Attention has advised it will charge \$55 per lock as well as \$25 in parts.

6. The Investigative Personnel. The Receiver anticipates that, given his understanding of significant assets and potentially multiple offices in San Juan, Puerto Rico, it may be cost-effective to retain non-legal professionals to assist the Receiver with executing his duties as they apply to those assets and office(s) in San Juan, Puerto Rico, and that doing so at the rates charged by those non-legal professionals may be advantageous and more economical than a legal or forensic professional attending to those same tasks. International Intelligence Group, LLC, whose principal Hector Gonzalez is a retired Supervisory Special Agent with the FBI in San Juan for over twenty years, has agreed to provide services at an hourly rate ranging from \$85 to \$125. The Receiver will only seek to use Mr. Gonzalez's services where necessary and where doing so would benefit, rather than duplicate, any efforts to fulfill his duties under the Order Appointing Receiver.

7. The Receiver will take all steps to ensure that there is no duplication of efforts or expenses between or among any of the professionals he engages with the approval of this Court.

WHEREFORE, the Receiver respectfully requests that this Court enter the proposed Order attached as **Exhibit C**, authorizing the Receiver to employ (i) professionals with the firm E-Hounds based in Tampa, Florida and SupportPR LLC based in San Juan, Puerto Rico to assist with securing, imaging, and storing electronic information; (ii) professionals with Darrell's Locksmith in Sarasota, Florida and Abracadabra Attention in San Juan, Puerto Rico to assist with changing the door locks to the premises described in the Order Appointing Receiver; and (iii) professionals with International Intelligence Group, LLC in San Juan, Puerto Rico to provide investigative and asset management services to the Receiver with respect to Receivership Property located in San Juan, Puerto Rico; and (iv) for such other and further relief as the Court deems just and proper.

Dated: March 6, 2020.

QUARLES & BRADY LLP

/s/ Mark A. Kornfeld

Mark A. Kornfeld, Esq., as Receiver

Florida Bar No. 1019233

101 E. Kennedy Blvd., Ste. 3400

Tampa, FL 33602

Phone: (813) 387-0300

Facsimile: (813) 387-1800

mark.kornfeld@quarles.com

karen.wollitz@quarles.com

docketfl@quarles.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of March, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a Notice of Electronic Filing to the following counsel of record:

Christine Nestor, Esq.
Stephanie N. Moot, Esq.
John T. Houchin, Esq.
Barbara Veniegra, Esq.
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Counsel for Defendants and Relief Defendants

/s/ Mark A. Kornfeld
Receiver

EXHIBIT A



CURRICULUM VITA

Adam D. Sharp

Current Positions Held

President-CEO, Founder - Data Recovery Labs, Inc. (since 1993)

President-CEO, Founder - E-Hounds, Inc. (since 1999)

Qualified Expert in

Data Recovery, Data Analysis, Computer Forensics, eDiscovery (since 1998)



Associations:

American College of Forensic Examiners Institute

Association of Certified E-Discovery Specialists

Institute of Computer Forensic Professionals

Institute of Electrical and Electronics Engineers (IEEE)

Microsoft Certified Partner

High Technology Criminal Investigation Association (HTCIA) Former Member

International Disk Drive Equipment & Materials Association (IDEMA) Former Member

Computer Crimes/Consultant/Adjunct Services:

Clearwater Police Department, Florida Department of Law Enforcement (FDLE), Pinellas County Sheriff's Office, Hillsborough County Sheriff's Office, Federal Bureau of Investigation (FBI Tampa Division), Federal Public Defenders Office.

Experience:

Data Recovery Labs has successfully recovered data for several THOUSAND clients, globally since 1993 under the personal guidance of Adam Sharp. The majority of these clients consist of Fortune 1000 and Government Agencies. The majority of the proprietary tools and techniques used in the day to day operations of DRL were developed by Mr. Sharp as well.

E-Hounds has provided forensic services for over 5000 cases since 1999, including several Court Appointments. Mr. Sharp has been the lead examiner and expert for the bulk of those services. He has been qualified as an expert and/or has provided sworn testimony in nearly 170 cases.

1981 Basic Programming, Tandy Computer Training (TRS-80 Mainframe Linked)

1985 to 1991 Pascal, C+, Visual Basic Programming

1987 to 1988 Systems Analyst for Community Blood Banks of Florida (FBS)

1988 to 1991 Computer Sales/Setup/Service for Sears, Roebuck IT

1991 to 1992 CTI and Voice Integration Specialist Advanced Communications, Inc. (WiTel National Telecom)

1992 to 1993 Data Recovery, Data Retrieval Services of CA

1993 to 1999 Data Recovery Specialist and Engineering, as President/CEO - Data Recovery Labs, Inc.

1998 First Qualified as Expert in Data Recovery Hillsborough County Court (Cliffco v USA Wireless)

1999 E-Hounds, Inc. founded to service attorney's e-discovery and computer forensic needs.

2001 First Qualified as Expert in eDiscovery and Computer Forensics, Court Master Appointed (LMT v Church of Scientology)

1999-current Expert Witness in Data Recovery Computer Forensics and Lead Examiner, E-Hounds, Inc.

Education:

1992-1993 St. Petersburg College (General Studies)

2000-2005 RCFG at George Mason University (Fairfax, VA) Certificate Forensic Training/Law Enforcement

2005, 06, 10, 12 Department of Defense Cybercrime Conference and Training (5 days)

2001- Encase Forensic Software Training (Ongoing)

2009- Access Data Forensic Training (Ongoing)

2011- Vound Intella Forensic, Email Examination (Ongoing)

2014- ACFEI Training:

Technology and Terrorism: How the Internet Facilitates Radicalism

Digital Forensics in the Twenty-First Century

Forensic Examination of CCTV Digital VTR Surveillance Recording Equipment

Operating Systems & Hardware Proficiencies

Windows 3.0 to Windows 10	PC and Server Systems	VOIP systems (Asterisk/Switchvox)
Windows NT Server to Server 2016	Tape Backup	Smartphone/Cellular/Tablets
Mac OS (Pre-Unix) to Mac OSX	Mac, Mac Server	MySQL/SQL/Oracle/SQLite
Linux, Ubuntu, Red Hat, Unix, Xenix	Printer/Scanner/Imaging	Router/Hub/Switch/Firewall
VMWare ESX 3 to ESXi 6	SAN, NAS, RAID, Cloud	Network Architecture
(includes most embedded systems as well)	(Google Drive, iCloud, etc)	(includes WAN, LAN, and Internet Backbone)

Forensic and E-Discovery Proficiencies

Encase Forensic v4 to v8	DEFT	Oxygen Forensic Detective	Vound Intella
AccessData Forensic Toolkit	Guymager	Lantern	Nuix
GetData Forensic Explorer	Autopsy	XRY Mobile	Summation
X-Ways Forensic	Paladin Pro	Cellebrite UFED	Concordance
Paraben P2	Macquisition	Wondershare	Relativity
Sumuri Recon	FTK Imager	Blackbag	

Recent Speaking Engagements and CLE Seminars**2013**

American Judges Association (“A Guide for Judges and Attorneys on Computer Evidence, and Experts”)
 Florida Bar Convention eDiscovery Seminar (CLE) “eDiscovery vs Computer Forensics”

2014

Labor and Employment College of Practitioners Seminar Miami (CLE) “Computer Forensics and Metadata”
 IP Lawyers (Data Recovery and eDiscovery in Modern Litigation)

2015

American Bar Association (CLE) Cyber theft Seminar
 Florida Bar Association Business Law Section (CLE) “Evidence Boot Camp”
 Florida Bar Association L & E Law Section (CLE) “Computer Evidence”

2016

Manatee County Bar Association (CLE) “Social Media Artifacts, eDiscovery Use and Misuse”
 St. Petersburg Bar Association at Stetson University (CLE) “Evidence is Everywhere”
 Association of Legal Administrators Seminar (Mobile artifacts, ESI Preservation)
 Pinellas Trial Lawyers Association (Social Media, Mobile Devices, ESI Preservation)
 Florida Liability Claims Conference (Social Media Metadata, ESI Preservation)
 Claims Defense Update Seminar (CLE) “Electronic data used in modern litigation”
 Hillsborough County Bar Association/Ferguson White Inn of Court (Social Media, Criminal Minds)
 Hillsborough County Bar Association Labor and Employment (CLE) “eDiscovery Boot Camp”

2017

Risk Management Society (RIMS) “Electronic Evidence in Modern Business”

2018

Reece Smith Inn of Court (CLE) “Technology in the Courtroom”
 Ferguson White Inn of Court “Current Issues in E-Discovery”

Expert Consultant/Witness Case Examples
Closed Cases - Sampling Only

(Previously Qualified in State and Federal Courts)

- Florida, Federal Court Appointment --- **Bankruptcy/Receivership** --- Review of data to determine conspiracy to hide funds from the court.
- Florida, Court Master Appointment --- **Civil/Criminal** --- Murder/Wrongful Death/Criminal Conspiracy/Conversion of Funds in a national case involving a church and private parties.
- Florida, Court Appointment --- **Criminal/Civil** --- **Theft of Intellectual properties/Collusion/Conversion of Funds/Conspiracy** --- Substantiate intentional deletions in a database as well as financial conspiracy to remove funds from company prior to resignation.
- Florida, Plaintiff --- **Conversion of Funds/Criminal Fraud** --- Recovery of E-Mail and graphics indicating an attempt to operate fraudulently as a large Credit Card Processing company.
- Florida, Court Appointment --- **Bankruptcy/Surety** --- Recovery of E-Mail and financial records detailing use of Trust Funds prior to declaring bankruptcy.
- Florida, Criminal Prosecution --- **Mortgage Fraud** --- Serviced FBI Tampa Field Office in the recovery of data from computers submerged in Tampa Bay and recovered by divers.
- Florida, Plaintiff --- **Marital & Family** --- Substantiate use of internet for purposes of defrauding spouses in a Polygamy case.
- Florida, Prosecution --- **Theft of Intellectual Properties** --- Recovery of deleted E-Mail, substantiated false dates and times.
- Florida, Prosecution --- **Criminal** --- Recover and substantiate dates, time and existence of pornographic materials involving minors.
- Florida, Defense --- **Copyright Infringement** --- Internet HTML and Javascript code analyses and comparisons.
- Florida, Plaintiff --- **Copyright Infringement** --- Build system and review data to determine extent of use of copyright protected photographs, and locations in global infrastructure.
- Alabama, Plaintiff --- **Copyright Infringement** --- Comparisons of application systems using Visual Basic and Excel spreadsheets/macros.
- Florida, Plaintiff --- **Class Action, Product Liability** --- Analysis, conversion and authentication of business and financial records for end use automotive products.
- Florida, Court Appointment --- **Computer Forensics and Electronic Evidence** --- Analysis of system usage and email transmissions.
- Ohio, Plaintiff --- **Computer Forensics and Electronic Evidence** --- Forensic analysis of hard drive in family law situation.
- Florida, Plaintiff --- **Medical Malpractice** --- Determined record retention limits and database logistics to prove ability to change records after the fact.
- Florida, Prosecution --- **Criminal** --- Internet Child Pornography: Analysis of hard disk contents.
- Utah, Prosecution --- **Criminal** --- Theft of state documents from a Title Agency: Determined method of transmission, recovery of documents, and dates of theft.
- Michigan, Plaintiff and Counter Defense --- **Theft of Intellectual Properties, Slander and Libel** --- Data Recovery of missing invoices and emails showing libel.
- Florida, Court Appointment --- **Criminal/Data Analysis** --- Murder/Wrongful Death Case: Analysis of email traffic patterns, web sites visited, recovery of graphic files, E-Mail address, and financial data recovery.
- Florida, Court Appointment --- **Motion for Recovery of Fees** --- Recovery of email showing contact with attorney's, billing statements and accounting information.
- Pennsylvania, Plaintiff --- **Custody** --- Substantiate dates and times of access to pornographic materials and the children's use of computer during the same period
- Florida, Internal --- **Compromise Assessment** --- Review emails, computer data, to determine source of "Man in the Middle" compromise resulting in Bank Wire Fraud.
- Florida, Plaintiff --- **Medical Malpractice** --- Retrieval and Analysis of audit trails from EMR keeping systems.
- Florida, Defense --- **Wrongful Termination** --- Recovery of deleted work logs and emails showing worked hours and projects.
- Florida, Plaintiff --- **Wrongful Termination** --- Recovery of deleted emails and internet history.
- Florida, Plaintiff --- **Tax Fraud** --- Recovery of financial data from bankrupt Energy Company for use in conjunction with larger Federal Case.
- Florida/New York, Plaintiff --- **Product Liability** --- Recovery of deleted records showing sales of OTC medications without prescription.
- Florida, Plaintiff --- **Network Intrusion** --- Recover logs and substantiate access to secure network system by external hacker.

Current as of January 2019

21st Century Satellite v Mark Tow
 345 Bayshore Association, Inc. v. 345 Bayshore Developer
 Acosta v. Navitsky
 Advance Controls Inc v Rennhack
 Aguakem International, Inc., v. Kemiron Atlantic, Inc
 Andrea Mogensen v Hillsborough County Public Transportation Commission
 Atlantic International Mortgage Holdings, Inc., Steven S. Oscher v.
 Austin Cho, Verimed v Primecare
 Balko v Senior Home Care
 Bermel v. Metro Networks and John Young
 Bondanza v Arthrex
 Bradley Bangston Chiropractic v. Mary Bartolf
 Broderick v. World Precision Instruments
 Broker Dealer Market, Inc v LaBier and Broker Dealer Exchge, LLC
 Cara Nursery v Consolidated Nurseries
 Cassidy v Cassidy
 Cellco Partnership d/b/a Verizon Wireless v. Chevola
 Certified Foundations Inc v Carpathia Construction, Heesch
 Chiptronics, Inc. v. Larry Thoroughhood
 City of Largo vs Steve Stanton
 Cliffco v. USA Wireless
 Coates v. Akerman
 Crilley v Morgan
 Crossley, John vs. Bethesda Memorial Hospital
 CSI Search Group, Inc. vs Scott Albert, Christopher Brewer
 Curphey and Badger v Express Legal Dox LLC
 Dannwood v McDermott
 David Hopkins v Geltech
 Deman Data Systems LLC v. Schessel, Primose Solutions LLC
 Dental Care, LLC v Dental Meds, Inc.
 Dumstorf LLC vs. Martha Irene Weed
 Easily vs Jeffcoat Estates
 Elias Brothers Group v Irene Moser
 EmbroidMe Mentor v. Mitchell
 Eastern Portland Cement v FLSmidth Inc.
 Executive Leadership Solutions vs Roger Ward & John Sky Express
 First American Partnership v Tracey Rueff
 First American v. Inter County Title
 Florida Bar v Kligerman
 Florida Bar v Victor Arias
 Florida Cardiology PA vs Oji Joseph, M.D.
 Foley v St. Lucie Medical Center PA
 Foreline Security vs Rex Surber
 Full Circle Orthopedics v Florida Knee / Hayter
 Gage Continuing Education Co vs Admiral Continuing Education
 Gashi v Seal-tite Roofing
 Geico Insurance v Stone
 Geier Holdings v. Liberty et. al.
 George B Sowers III vs GBS Distributors
 Glen Pearson, Global Communications v. Boroff, Damaschino
 Golson Legal PA v Accentia
 Graham vs Creamey
 H&R Block v. Gelray Gainey
 Hamill v Hamill
 Haywood Williamceau v Bethesda Memorial Hospital
 HCFF Local 2294 v Karl Schmidt
 Henderson Brothers Brandon, LLC s Inc vs InLand Home
 Hopkins v Geltech
 Hurricane Shooters v By George Inc.
 Ideal Identification v Ramos
 In RE: Estate of William Lewshane Hall
 In RE: Sarah Katherine Sussman
 Innova-Pure Water vs Sawyer Products
 International Sight Restoration v Abdullayev
 IT Authorities v The Center For Special Needs Trust
 John Adcock Ins. Agency v. Johnson, Benefit Resources Group John
 Katherine Nucci vs Robert Nucci
 Kathleen Howe vs Service Tampa, LLC & Swisher, LLC
 Landstar v KSA/Day/Read

Lockheed Martin v L3, Fleming
 Lockheed Martin v L3, Speed
 Lockheed Martin v Patrick St. Romain
 Louis Orloff, Matrix Group v Hiscox Dedicated Member
 MacNight Smoked Foods, FCP v. Johnathon Brown - Timothy Brown
 Manhatten Mortgage Group v. Doris Mojica
 Meade v. Ferman Motorcar Company
 Medcere v Ceredev
 Mooney v. Liquid Metal Tech
 Mortgage Investors Corp v. Watermark/Sherman
 NAI v AMP, Wagner-Langford, Gilkey
 Nationwide Indust. vs Michael Muller
 New Rochelle v. Palm Garden
 Ocean Optics v Ron Defris
 Our365, Inc v Babyface Portraits, LLC
 Outback Steakhouse v. John Harmon
 Parking Area Maintenance v. Martin Dean
 Performance Renewable Energy v Kinder Morgan
 Pharmerica v Arledge
 Pharmerica v Manuele
 Physician Preferred Medical Liability Ins v. Mike Wallace / Tim Bone
 Pope v. Bikowitz
 Primecare v Verimed
 Raymond F Kravis Cent Perf Arts v Lexington, Allied World / Allianz
 Raymond James & Assoc v Haag Cantor
 Residential Finance Corporation v. Orion
 Retina Health Center vs Deborah Taylor
 Revello, Verimed IPA LLC v Primecare LLC
 Rich-SeaPak Corp.. vs James Bruffy
 Riverview Mortgage v Bryan Snyder
 RME, DME Holdings LLC v Mchyl / All Pro Printing, et al
 Rozycki v Rozycki
 Sarah Berry v Ashley Bodi
 Sarasota Vet Neurology v Levine
 Sea Hunters v SS Port Nicholson
 SEC v Waxenberg
 Service Experts v Northside
 Sharon Evans vs Liberty Title Company of America Inc
 SMC Food Tech v. Jose Fagundo
 SMS v Sherouse, Smith, Brody
 Stalley v Alliance Data Systems
 Stanton v Stanton
 Starling v Florida Urology Partners
 State of FL Dept of Ag. vs Central Beef Ind, LLC
 State of Florida v Arnold Mathis
 State of Florida v Cara Ryan
 State of Florida v Hargrove
 State of Florida v Laviano
 State of Florida v Marcos Santiago
 State of Florida v Pete Mininni
 State of Florida v. Charles Harden
 State of Florida v. James Rybicki
 State of Florida v. Steven Shurgard
 State of Texas v. Pittner
 Sterling Payment Technologies vs Ellen Hudec
 Stewart Flooring vs Marrs
 Stroemer v Panks
 Technology Conservation Group v MARS
 TredFast, Inc. vs Jan-Pro International, Inc
 United States v Eric Thomas
 United States v James Gregg
 United States v Mathis
 United States v Michael Wayne Lewis, Carter, Gentle
 UPS v DelZotto
 Vernon & Vernon v. Athenson
 Xonia Book v Walt Disney World/Merklinger
 Yellow Pages Photos Inc v Supermedia, Dex One
 Yellow Pages Photos Inc v Ziplocal, ASEC
 Yellow Pages Photos Inc v Yellow Pages Group

EXHIBIT B



PLEASE NOTE OUR NEW ADDRESS ----->

E-Hounds, Inc.

32815 US 19 North Suite 100

Palm Harbor, Florida 34684

Tel (727) 726-8985

email - support@ehounds.com

To: Nichole Perez, Quarles & Brady LLP

CASE REFERENCE: Receivership (TBD)

03/05/2020

Thank you for contacting E-Hounds Computer Evidence Services. We appreciate the opportunity to assist you in this case. Computer evidence can sometimes be overwhelming and burdensome, but we try to alleviate those concerns. If you have questions at any time, we encourage you to contact our offices. The following is a basic timeline of steps we take in most cases:

1. Planning:

Advise as to what types of evidence are likely to be found - What might be a "smoking gun"?

Analyze password, encryption, or storage systems - is there any mobile devices or cloud based data at issue?

Determine location of targeted evidence and define the most efficient set of data to search.

2. Acquisition: (See Page 4 for more information on Forensic Acquisition & Preservation)

Determine the physical location of the targeted evidence (where is the media now?)

Preservation or acquisition which will safeguard the original, ensure metadata is maintained and provide for chain of custody.

3. Recovery:

Restore any unreadable data to accessible formats.

Convert data as needed to readable formats, including Optical Character Recognition (OCR) to make scans, faxes, and photos of documents searchable

4. Analysis & Review:

Varies depending on case requirements but generally takes one of two tracks:

E-Discovery Track

Custodian assignment

Keyword search (identifiable by sender, dates, or content)

Privilege and Date filtering

Data authenticity/integrity analysis

NEW! E-Hounds Review proprietary encrypted review platform

Computer Forensics Track

"Triage" - Identifying activity (USB, alternate email account usage)

Determining if there are deletions

Internet Activity

File Access Activity (networks, cloud services, local hard drives)

Communications with unknown parties

5. Reporting & Deliverables:

Deliverable packages, often ready same day in a variety of formats.

Customized evidence reports and exhibits

Affidavits and certified copies of data

Expert witness testimony (if required)

On-Site Services and Acquisition- While FedEx or UPS are very reliable couriers, often our clients prefer to have a critical piece of evidence not leave their sight. We can provide for two separate options in these cases.

1. A forensic copy can be made in the presence of all parties involved at our lab in Palm Harbor, Florida
2. A forensic copy can be made onsite at the location of the parties choosing by an E-Hounds Technician.

To control Chain of Custody issues that may arise, E-Hounds does not advise allowing any other person without extensive Forensic Computer Training to have access to media which may be subject to Evidence Recovery. This includes making copies or images. **ONLY AFTER** a Forensic Copy has been made, the original media may be used again if absolutely necessary.

TO SUBMIT YOUR CASE - PLEASE COMPLETE:

1. Authorization Form (Next Page)
2. Completed Fee Agreement (Page 3)
3. Payment Arrangements and Evaluation Retainer (We accept Check, Wire Transfer, and all Major Credit Cards.)

Thank you again for contacting

E-Hounds, Inc. Digital Evidence Services





E-Hounds, Inc.
Digital Evidence Services
 32815 US 19 North Suite 100
 Palm Harbor, Florida 34684
 Tel (727) 726-8985
 email - support@ehounds.com

Company/Firm (CLIENT):

Quarles & Brady LLP
Nichole Perez

Bill to Party(s): (List Additional if necessary)

Quarles & Brady LLP
Nichole Perez

Phone Number(s):

813-387-0299

Shipping Address:

Please note: All billing is sent by email.

Billing EMAIL Address(es):
 Nichole.Perez@quarles.com

CASE STYLE (or opposing parties names)
Receivership (TBD)

☒ On-Site Acquisition
☒ Preservation
☒ Triage Workup*
☐ Data Remediation

☒ Keyword Search
☒ Data Recovery
☒ Court Appointment
☐ Neutral

☒ Expert Services
☐ Affidavit of Findings
☒ Internet/E-Mail
☒ E-Discovery

☐ Document Imaging
☐ CCTV DVR

These selections were made based on your initial call. Do not be alarmed if a certain item has remained unchecked. Contact your representative if you have any questions.

* "Triage Workup" is a basic service that is generally an "all-in-one" flat fee per computer, and is intended to provide an initial "fact-finding" or uniquely targeted request. It does not include any on-site hourly charges, and does not provide for an expert report. Please ask your case agent for more details.

SERVICES REQUESTED (Please provide goals and/or specific information we should look for. Include date ranges, specific names or email addresses if known.)

Initial Case Notes (Taken from our First Contact)

Current E-Hounds Assigned Case # - **E9578**
 Case Logged **03/05/2020 11:54:58 AM**
 Case Reference - **Receivership (TBD)**

Identification, collection and preservation of data in receivership matter.

Client engages and authorizes E-Hounds, Inc. (hereinafter E-HOUNDS) to analyze, acquire, report, and conduct forensic services and/or data recovery services, in whole or in part, in the above styled case. Client understands that the fees for all services are accepted under the separate E-Hounds Fee Agreement, without which, E-HOUNDS reserves the right to stop all services without penalty until such time as the signed Fee Agreement and Retainer fees are received by E-HOUNDS. E-HOUNDS shall in no way be held responsible nor be liable for any damages caused by work stoppage. Client is the legal owner, representative, or otherwise has legal right to property and/or data contained therein (unless said contents are covered under separate agreement such as Attorney/Client Privilege or Confidential Work Product or Court Order). E-HOUNDS agrees to hold any and all information and/or data belonging to the Client in strictest confidence, and E-HOUNDS shall not reveal or cause to be revealed any such data as it may recover to any person, agency, or entity other than those specifically authorized by the Client or as provided by court order. E-HOUNDS will not assume any responsibility for the nature or content of the media provided by the Client, and will not accept any liability for its use or misuse by the Client following recovery, restoration, and/or reconstruction. Client understands that E-HOUNDS liability is limited to destruction and/or loss of data resulting from E-HOUNDS services, not handling of media or related equipment, either by the Client or any other agency, whether prior to delivery to E-HOUNDS or following its release from E-HOUNDS. E-HOUNDS can only accept responsibility for the physical preservation and protection of media and/or equipment while it is in the immediate care, custody, and control of E-HOUNDS. Client further understands that E-HOUNDS shall be held harmless for any claims relating to or arising from service(s) requested. Client and/or Billing Party agrees to be fully and wholly responsible for any court costs, attorney fees, subpoena appearance, deposition and/or penalties which E-Hounds incurs relating to this engagement, both during and after as may be required. Client and Billing Party also agree and understand that FULL payment for services rendered as approved during the term of this engagement is due immediately upon receipt of invoice. Signature indicates acceptance of these terms and authorization to sign on behalf of the above listed parties (CLIENT & Billing Party).

Signature on behalf of Client

Title

Date

Name (Please Print)



Fee Agreement for Case **E9578**, submitted **03/05/2020 11:54:58 AM**
Quarles & Brady LLP, Nichole Perez(Billing Party)

Retainer and Billing: A retainer is required prior to case intake and setup, acquisition of computer evidence, consultation or review, or long term data storage (we keep copies of your evidence until your case is closed, either by you or the courts) and is generally applied proportionally throughout your case. E-Hounds nor any of its employees/officers may be listed as a witness without retaining our services (\$1000 flat fee for listing as witness without retainer). All retainer amounts are nonrefundable after 30 calendar days. We invoice every 15 days or as case activity warrants.

Travel Charges: E-Hounds' Evidence Technicians are available for onsite service and travel globally. Billing for onsite work is based on the hourly fee, "portal to portal". Travel time is based on published drive times (e.g. Google Maps estimates) or published flight times (if drive time exceeds 6 hours). We do not charge for travel expenses incurred during your case unless flight is required in less than seven days of notice, or in the event of international travel. Extensive travel (e.g. requiring overnight stay) we do not charge for 6 hours sleep time, and may reduce your travel time rate depending on the work being performed. Less than seven days notice for cases requiring air travel will be charged on an EXPEDITED TIMELINE. All flights shall be booked "Business Class" whenever available.

Media Intake: E-Hounds maintains strict chain of custody procedures. All media is photographed, noted, inventoried, tagged and maintained to safeguard and preserve evidence. A flat fee is charged for each piece of media received or acquired. This fee also provides for the secure deletion of data stored by E-Hounds at case closure. Data Recovery services are quoted as needed for damaged and non-functioning media.

Hourly Billing: Our average case fees to forensically acquire, analyze and report on a single computer (around 200 gigabytes of data) ranges from \$1500 to \$5000 depending on the requests made (not including any onsite work). Substantial keyword requests can increase hourly costs drastically, and can often be minimized by advising E-Hounds as to expectations and goals. If there is a large quantity of data to be recovered, or substantial data results from a search, billing can be substantial. Less than 48 hours notice for any onsite work, as well as weekend or after-hours service will be charged as an Expedited Timeline.

Expert Services: Expert Witness, Consulting Expert, and any form of sworn testimony included deposition is billed in advance with a half-day (4 hour) minimum. Less than 48 hours notice for expert services is billed at the expedited rate. Expert fees must be received at least 48 hours prior to any scheduled local appearance and 7 days prior to appearance requiring travel. All fees are nonrefundable once received. Expert fees are charged portal to portal. Additional hours as needed will be billed after appearance.

E-Hounds Review Platform: E-Hounds can, at your option, provide a unique search and review platform. All data is hosted on E-Hounds secure servers, and never transmitted or accessed by third party service providers. You access our platform through an encrypted web browser over the internet. Fees for this service are billed monthly and vary based on usage starting at \$995. **We do not charge per gigabyte.**

All billing is DUE ON RECEIPT. All unpaid balances over 30 days will be subject to a 1.5% fee per month. Any unpaid balances over 90 days will be subject to equipment forfeiture, data erasure, collection process and reasonable attorney's fees incurred in collection. Services by E-Hounds is rendered on behalf of the agency, agent, or party contracting for the services, and payment for such services is the sole liability and responsibility of that agency, agent, or party, and is not transferrable nor assignable. Your authorized signature below indicates acceptance of these terms.

FEE SCHEDULE:

Retainer Amount Requested \$0

(an additional retainer may be requested for expedited acquisitions)

Standard Timeline (15 to 20 Business Days)

(A mixture of standard and expedited services is common)

Standard Rate	\$195.00 per hour
as Court Appointment	\$245.00 per hour
Sworn Testimony	\$400.00 per hour
Expert Consultant	\$300.00 to \$350 per hour
File Conversion	\$95 to \$195 per GB
Intake/Preservation	\$225.00 per source
	\$50.00 per CD/DVD

Expedited Timeline

("Front of the Line", Less than 48 hours notice, After Hours)

Standard Rate	\$250.00 per hour
as Court Appointment	\$295.00 per hour
Sworn Testimony	\$500.00 per hour
Expert Consultant	\$400.00 per hour
File Conversion	\$95 to \$195 per GB
Intake/Preservation	\$275.00 per per source
	\$75.00 per CD/DVD

EH Review Platform \$995 per month
EH Review add'l users \$95 per month

"Triage Service" - Basic processing of single computer, identifying initial data, history, deletions, and data movement. \$1000 Flat

Signature on behalf of Responsible Party

Title

Date



*Having trouble tracking down computer evidence?
Call in the E-Hounds!*



E-Hounds Computer Evidence & Data Recovery Lab specializes in finding, recovering, searching and analyzing computer information for use in legal matters. Through programs specifically designed for attorneys and paralegals, or through our wide range of individual services, we provide solutions to managing this often amorphous dimension of discovery.

Ask about the E-Hounds Review Platform! *What is E-Hounds Review?*

You've probably heard of common litigation tools such as Relativity, Concordance, Summation, iLook. So have we. We also saw and read about the skyrocketing costs of e-discovery review and hosted platforms. Did you know that during *Apple Inc. v. Samsung Elecs. Co., 2014 U.S. Dist. LEXIS 132830* Apple cited **e-discovery costs of \$1,486,475.01** just for hosting produced documents on a third party service?!! E-Hounds has done something about that. We offer our clients the use of our in-house E-Hounds Review Platform. We don't charge by the gigabyte, nor the page. Data set sizes don't affect us (or your costs). We host your data in house, on our secure servers. We provide you and reviewers of your choosing, encrypted access to see, search, tag and review the documents and data in your case. After you've selected the documents you need, you can even create your own deliverable package. Sounds great? Sounds scary? No problem - we're here to help. We use these tools every day, and we act as your personal support team - no outside third party vendors.

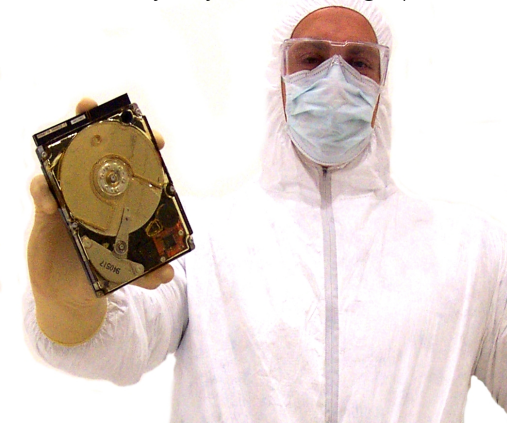
Simple, intuitive, task based review - at a cost that's affordable no matter the size of the case. "But how can you do that?!" It's simple - it's not all that we do. We don't want to just host your data, and say goodbye. We're part of your team, from beginning to end. From initial collection, to custodial culling, to deduplication, to expert consultancy, to litigation testimony. **We see too many large e-discovery houses that don't care if they burn through your litigation budget.**

About Forensic Preservation *What is a forensic acquisition?*

Forensic acquisition (also known as "imaging" or "forensic preservation") is an absolutely necessary process which takes a "snapshot" of a computer, effectively freezing the contents up to that date. This includes deleted files and fragments of old documents as well as the original dates and times of alterations, copying of files and deletion dates. Safeguards are taken to ensure that the original media (hard drive, CD-ROM, server data, cell phone, tablet, etc...) remains unaltered during the acquisition process.

About "Triage" Services *How to know if you have a problem before it's a problem...*

This is a newer, cost effective flat rate service, priced *per computer or device*. Typically a flat \$1000 (shipped or delivered to our lab) and includes the imaging preservation process. We go through everything, internet history, cloud access, files opened and changed, USB devices connected and how they were used, networks accessed... etc. We go over it with you, and provide exhibits of what is key to any findings (essentially reports for you or the client to review and determine if there's a deeper rabbit hole to pursue). It doesn't include an expert report, affidavits, or any kind of testimony. That's based hourly beyond the triage phase.



How long does a forensic preservation take?

There are many factors involved in gauging the amount of time needed to perform an preservation. The average 500gb hard drive will typically take 2 or 3 hours. The average Mobile phone will take 1 to 3 hours depending on the manufacturer, and the amount of content (if it has tens of thousands of text messages, it takes longer than only a few thousand).

How long does data loading, indexing, and deduplication take?

Again, there are a number of factors that influence the timing of processing, but typical cases can be loaded for review within 48 hours of final data collection.

(727) 726-8985

EXHIBIT C

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

KINETIC INVESTMENT GROUP, LLC and
MICHAEL SCOTT WILLIAMS,

CASE NO.: 8:20-cv-394

Defendants, and

KINETIC FUNDS I, LLC,
KCL SERVICES, LLC d/b/a LENDACY,
SCIPIO, LLC, LF 42, LLC, EL MORRO
FINANCIAL GROUP, LLC, and KIH, INC.,
f/k/a KINETIC INTERNATIONAL, LLC,

Relief Defendants.

**ORDER GRANTING RECEIVER'S MOTION FOR AUTHORIZATION TO EMPLOY
INFORMATION TECHNOLOGY AND SUPPORT PERSONNEL**

THIS CAUSE came before the Court on the Receiver's (the "**Receiver**") Motion for Authorization to Employ Information Technology and Support Personnel (Doc. ____) (the "**Motion**"). With the Court having considered the Motion, and finding that cause exists to grant the Motion, it is hereby ORDERED as follows:

1. The Motion is **GRANTED**.
2. The Receiver is authorized, *nunc pro tunc* to March 6, 2020, to employ Information Technology and Support Personnel as set forth in the Motion and to assist the Receiver in fulfilling his

duties under the Order Appointing Receiver.

DONE and ORDERED this ____ day of _____, 2020 in the Middle District of
Florida.

UNITED STATES DISTRICT COURT JUDGE