## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA

CASE NO.: 8:20-cv-00394

## SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

KINETIC INVESTMENT GROUP, LLC and MICHAEL SCOTT WILLIAMS,

Defendants, and

KINETIC FUNDS I, LLC, KCL SERVICES, LLC d/b/a LENDACY, SCIPIO, LLC, LF42, LLC, EL MORRO FINANCIAL GROUP, LLC, and KIH, INC. f/k/a KINETIC INTERNATIONAL, LLC,

Relief Defendants.		

NOTICE OF WITHDRAWAL WITH PREJUDICE OF RECEIVER'S MOTION TO (i) APPROVE DETERMINATION OF BROKERAGE ACCOUNT MARGIN OBLIGATION; (ii) PARTIALLY LIQUIDATE INVESTOR ACCOUNTS TO SATISFY MARGIN OBLIGATIONS; (iii) REPAY REMAINING MARGIN BALANCE; AND (iv) TRANSFER MAJORITY OF REMAINING RECEIVERSHIP CASH ASSETS TO FIDUCIARY BANK ACCOUNTS (DOC. 108)

The Court's November 5, 2020 Order (Doc. 152) directed the Receiver to, in relevant part, withdraw his Motion to (i) Approve Determination of Brokerage Account Margin Obligation; (ii) Partially Liquidate Investor Accounts to Satisfy Margin Obligations; (iii) Repay Remaining Margin Balance; and (iv) Transfer Majority of Remaining Receivership Cash Assets to Fiduciary Bank Accounts (the "Motion") (Doc. 108) with prejudice within ten days of the Order becoming final and non-appealable. Accordingly, the Receiver hereby withdraws the Motion with prejudice.

Respectfully submitted,

## **BUCHANAN INGERSOLL & ROONEY PC**

By: <u>/s/ Jordan D. Maglich</u> Jordan D. Maglich, Esq. (FBN 0086106) 401 E. Jackson St., Suite 2400 Tampa, FL 33602

Telephone: (813) 222-2098 Facsimile: (813) 222-8189

Email: jordan.maglich@bipc.com
Attornevs for Receiver Mark A. Kornfeld

## **CERTIFICATE OF SERVICE**

I hereby certify that on December 15, 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 Viniegra, Esq.
Securities and Exchange Commission 801 Brickell Avenue, Suite 1950
Miami, FL 33131
nestorc@sec.gov
moots@sec.gov
houchinj@sec.gov
viniegrab@sec.gov
Counsel for Plaintiff

Maria S. Bellafronto, Esq.
Jedidiah L. Dooley, Esq.
Hopkins Carley 70 South First Street
San Jose, CA 95113
mbellafr@hopkinscarley.com
jdooley@hopkinscarley.com
Counsel for Fogarty Family

Timothy W. Schulz, Esq. Timothy W. Schulz, P.A. 224 Datura Street, Suite 815 West Palm Beach, FL 33401 e-service@twslegal.com

Jon A. Jacobson, Esq.
Jacobson Law, P.A.
224 Datura Street, Suite 812
West Palm Beach, FL 33401
jjacobson@jlpa.com
e-service@jlpa.com
Counsel for Defendant Michael Williams

Nathaniel G. Foell, Esq. John E. Clabby, Esq. Carlton Fields, P.A. Post Office Box 3239 Tampa, FL 33601-3239 jclabby@carltonfields.com nfoell@carltonfields.com Counsel for Fogarty Family

By: <u>/s/ Jordan D. Maglich</u> Attorney