

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

Case No: 8:20-cv-394-T-35SPF

KINETIC INVESTMENT GROUP,  
LLC, MICHAEL SCOTT  
WILLIAMS, KINETIC FUNDS I,  
LLC, KCL SERVICES, LLC,  
SCIPPIO, LLC, LF42, LLC, EL  
MORRO FINANCIAL GROUP,  
LLC, KIH, INC., and BRANCH  
BANKING AND TRUST  
COMPANY,

Defendants.

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**ORDER**

**THIS CAUSE** comes before the Court for consideration of Defendant Michael Williams' ("Williams") Second Motion to Modify the Asset Freeze Order (Dkt. 33) to Defend This Case (the "Motion") (Dkt. 135), Plaintiff Securities and Exchange Commission's (the "Commission's") Opposition to the Motion (Dkt. 139), the Receiver's Limited Response (Dkt. 140), Williams' Reply (Dkt. 144), and the Commission's Sur-Reply (Dkt. 149), and being otherwise fully advised, including consideration of the Magistrate Judge's Order (Dkt. 173), it is hereby **ORDERED** that the Asset Freeze Order (Dkt. 33) shall be modified as follows:


1. The Court approves the reduced hourly rate of \$357.50 for each of Williams' two attorneys, Jon A. Jacobson and Timothy W. Schultz (collectively, "Counsel").

2. An amount of \$64,500 from the funds held in escrow at ServisFirst Bank (Account No. XXXXXX-0920) is hereby unfrozen for payment of Williams' attorneys' fees and costs for the time period of January 28, 2021 through April 28, 2021. This time frame includes the remainder of the extended discovery deadline of March 11, 2021 (Dkt. 173), the current dispositive motion deadline of March 12, 2021 (Dkt. 88), and the corresponding response and automatic reply deadlines (30 days and 14 days, respectively) as set forth in the Court's Case Management and Scheduling Order. (Dkt. 88 at ¶ 2.H.1)

3. In order to facilitate the release of funds identified in paragraph 2 above, by May 14, 2021, Counsel shall provide the Commission and the Receiver with time records showing time billed related to services performed between January 28, 2021 through April 28, 2021. Within 5 days the parties shall submit a proposed order to the Court related to the release of funds to cover approved fees.

4. All remaining terms of the Asset Freeze Order not modified by this Order remain in place.

**DONE and ORDERED** in Tampa, Florida, this 24th day of February 2021.

  
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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person