

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

v.

EQUITYBUILD, INC., et al.,

Defendants.

Case No. 1:18-cv-5587

Hon. Manish S. Shah

**ORDER GRANTING RECEIVER’S TWENTY-FIRST FEE APPLICATION
AND PARTIALLY APPROVING PAYMENT OF FEES AND EXPENSES**

WHEREAS, on November 9, 2023, the Receiver filed his Twenty-First Interim Application and Motion for Court Approval of Payment of Fees and Expenses of Receiver and Receiver’s Retained Professionals (Dkt. 1538);

WHEREAS, on November 29, 2023, the Court entered an Order approving payment without holdback of the fees allocated in the Receiver’s Twenty-First Fee Application to the seven Group 3 properties—7301-09 S Stewart Avenue (Property 10), 7500-06 S Eggleston Avenue (Property 11), 3030-32 E 79th Street (Property 12); 2909-19 E 78th Street (Property 13), 7549-59 S Essex Avenue (Property 14), 8047-55 S Manistee Avenue (Property 15), and 7927-49 S Essex Avenue (Properties 102-106) (Dkt. 1552);

WHEREAS, on December 18, 2023, the Court entered an Order approving payment without holdback of the fees allocated in the Receiver’s Twenty-First Fee Application to 1422-24 East 68th Street (Property 107) (Dkt. 1570);

WHEREAS, on December 23, 2023, the Court overruled the objections to the Receiver’s Twenty-First Fee Application and granted Receiver’s Twenty-First Fee Application (Dkt. 1572).

NOW, THEREFORE, for the reasons stated in the December 23, 2023 order (Dkt. 1572), the Court finds and ORDERS:

1. Adequate and fair notice has been provided to all interested and potentially interested parties as to the Receiver's Twenty-First Interim Application and proposed fee allocations and each interested or potentially interested party has had a full and fair opportunity to assert its interests and any objections;

2. The fee application is granted in its entirety as to the remaining properties not addressed in the Court's prior Orders (Dkt. 1552, 1570), but (a) with a holdback of 20% of the fees (but not expenses) requested in the application; and (b) withholding immediate payment of fees and expenses allocated to 1131-41 E 79th Place and 7024-32 S Paxton Avenue, which are at issue in the FHFA's objections;

3. The Receiver is authorized to and shall disburse without delay the following:

a) funds from the Receiver's Account in the amounts of:

- i. \$467.50 to pay Prometheum for the approved expenses set forth on its invoices submitted with the Receiver's Twentieth Interim Application;
- ii. \$32,759.41 to pay Rachlis Duff & Peel, LLC for approved fees set forth on its invoices submitted with the Receiver's Twentieth Interim Application that have not been allocated to specific properties (after application of a 20% holdback);
- iii. \$1,144.51 to reimburse Rachlis Duff & Peel, LLC for approved expenses set forth on its invoices submitted with the Receiver's Twentieth Interim Application; and

- b) funds from each of the property accounts (after application of a 20% holdback) in the amounts of the “Approved Interim Distribution Amount” set forth in Exhibit A, which is attached hereto and made part of this Order, to the Receiver’s Account in order to pay approved fees to Rachlis Duff & Peel, LLC.
4. The Court reserves final approval of the distribution of fees held back in accordance with this Order.

Entered:



The Honorable Manish S. Shah

Date: December 27, 2023

Exhibit A to 21st Fee Application Distribution Order

Prop #	Property Address	Account No.	Total Fees Allocated	20% Holdback	Additional Holdback (FHFA)	Approved Interim Distribution Amount
1	1700-08 W Juneway Terrace	0462	\$ 16,912.33	\$ 3,382.47		\$ 13,529.86
2	4533-47 S Calumet Avenue	0603	\$ 350.19	\$ 70.04		\$ 280.15
3	5001 S Drexel Boulevard	0033	\$ 555.18	\$ 111.04		\$ 444.14
4	5450-52 S Indiana Avenue	0371	\$ 9,049.48	\$ 1,809.90		\$ 7,239.58
5	7749-59 S Yates Boulevard	0231	\$ 11,276.52	\$ 2,255.30		\$ 9,021.22
6	6437-41 S Kenwood Avenue	0389	\$ 448.64	\$ 89.73		\$ 358.91
7	7109-19 S Calumet Avenue	0280	\$ 733.40	\$ 146.68		\$ 586.72
8	1414-18 East 62nd Place	0991	\$ 137.62	\$ 27.52		\$ 110.10
9	8100 S Essex Avenue	0058	\$ 1,013.14	\$ 202.63		\$ 810.51
49	7300-04 S St Lawrence Avenue	0397	\$ 342.62	\$ 68.52		\$ 274.10
50	7760 S Coles Avenue	0405	\$ 115.22	\$ 23.04		\$ 92.18
51	1401 W 109th Place	0843	\$ 297.22	\$ 59.44		\$ 237.78
52	310 E 50th Street	1106	\$ 138.22	\$ 27.64		\$ 110.58
53	6807 S Indiana Avenue	1114	\$ 150.22	\$ 30.04		\$ 120.18
54	8000-02 S Justine Street	0413	\$ 387.14	\$ 77.43		\$ 309.71
55	8107-09 S Ellis Avenue	0421	\$ 646.36	\$ 129.27		\$ 517.09
56	8209 S Ellis Avenue	0439	\$ 119.89	\$ 23.98		\$ 95.91
57	8214-16 S Ingleside Avenue	0447	\$ 115.22	\$ 23.04		\$ 92.18
58	5955 S Sacramento Avenue	0116	\$ 271.19	\$ 54.24		\$ 216.95
59	6001-05 S Sacramento Avenue	0124	\$ 223.97	\$ 44.79		\$ 179.18
60	7026-42 S Cornell Avenue	0132	\$ 495.84	\$ 99.17		\$ 396.67
61	7237-43 S Bennett Avenue	0140	\$ 390.08	\$ 78.02		\$ 312.06
62	7834-44 S Ellis Avenue	0157	\$ 827.95	\$ 165.59		\$ 662.36
63	4520-26 S Drexel Boulevard	0256	\$ 1,352.20	\$ 270.44		\$ 1,081.76
64	4611-17 S Drexel Boulevard	0868	\$ 1,297.17	\$ 259.43		\$ 1,037.74
67	1131-41 E 79th Place	0470	\$ 5,130.26	\$ 1,026.05	\$ 4,104.21	\$ -
68	6217-27 S Dorchester Avenue	0876	\$ 866.67	\$ 173.33		\$ 693.34
69	6250 S Mozart Street	0512	\$ 436.70	\$ 87.34		\$ 349.36
70	638-40 N Avers Avenue	0363	\$ 541.60	\$ 108.32		\$ 433.28
71	701-13 S 5th Avenue	0165	\$ 1,044.73	\$ 208.95		\$ 835.78

Exhibit A to 21st Fee Application Distribution Order

Prop #	Property Address	Account No.	Total Fees Allocated	20% Holdback	Additional Holdback (FHFA)	Approved Interim Distribution Amount
72	7024-32 S Paxton Avenue	0892	\$ 4,877.22	\$ 975.44	\$ 3,901.78	\$ -
73	7255-57 S Euclid Avenue	0884	\$ 714.95	\$ 142.99		\$ 571.96
74	3074 E Cheltenham Place	0496	\$ 4,711.83	\$ 942.37		\$ 3,769.46
75	7625-33 S East End Avenue	0199	\$ 4,697.30	\$ 939.46		\$ 3,757.84
76	7635-43 S East End Avenue	0207	\$ 4,645.00	\$ 929.00		\$ 3,716.00
77	7750-58 S Muskegon Avenue	0223	\$ 4,748.50	\$ 949.70		\$ 3,798.80
78	7201 S Constance Avenue	0561	\$ 4,718.31	\$ 943.66		\$ 3,774.65
79	6160-6212 S Martin Luther King Drive	0066	\$ 10,025.30	\$ 2,005.06		\$ 8,020.24
80	2736-44 W 64th Street	0488	\$ 918.33	\$ 183.67		\$ 734.66
81	4315-19 S Michigan Avenue	0900	\$ 378.08	\$ 75.62		\$ 302.46
82	6355-59 S Talman Avenue	0520	\$ 375.91	\$ 75.18		\$ 300.73
83	6356 S California Avenue	0538	\$ 832.15	\$ 166.43		\$ 665.72
84	7051 S Bennett Avenue	0553	\$ 913.78	\$ 182.76		\$ 731.02
85	7201-07 S Dorchester Avenue	0579	\$ 201.30	\$ 40.26		\$ 161.04
86	7442-54 S Calumet Avenue	0975	\$ 545.88	\$ 109.18		\$ 436.70
87	7508 S Essex Avenue	0587	\$ 836.23	\$ 167.25		\$ 668.98
88	7546-48 S Saginaw Avenue	0355	\$ 729.11	\$ 145.82		\$ 583.29
89	7600-10 S Kingston Avenue	0298	\$ 1,172.76	\$ 234.55		\$ 938.21
90	7656-58 S Kingston Avenue	0306	\$ 368.78	\$ 73.76		\$ 295.02
91	7701-03 S Essex Avenue	0918	\$ 437.49	\$ 87.50		\$ 349.99
92	7748-52 S Essex Avenue	0215	\$ 843.63	\$ 168.73		\$ 674.90
93	7957-59 S Marquette Road	0595	\$ 818.67	\$ 163.73		\$ 654.94
94	816-22 E Marquette Road	0926	\$ 702.70	\$ 140.54		\$ 562.16
95	8201 S Kingston Avenue	0314	\$ 259.66	\$ 51.93		\$ 207.73
96-99	8326-58 S Ellis Avenue	0322	\$ 1,244.92	\$ 248.98		\$ 995.94
100	11117-11119 S Longwood Drive	0454	\$ 410.70	\$ 82.14		\$ 328.56
101	6949-59 S Merrill Avenue	0330	\$ 6,347.63	\$ 1,269.53		\$ 5,078.10
108	2800-06 E 81st Street	0942	\$ 129.22	\$ 25.84		\$ 103.38
109	4750-52 S Indiana Avenue	0959	\$ 362.22	\$ 72.44		\$ 289.78
110	5618-20 S Martin Luther King Drive	0504	\$ 323.22	\$ 64.64		\$ 258.58

Exhibit A to 21st Fee Application Distribution Order

Prop #	Property Address	Account No.	Total Fees Allocated	20% Holdback	Additional Holdback (FHFA)	Approved Interim Distribution Amount
111	6554-58 S Vernon Avenue	0546	\$ 487.24	\$ 97.45		\$ 389.79
112	7450 S Luella Avenue	0249	\$ 115.22	\$ 23.04		\$ 92.18
113	7840-42 S Yates Avenue	0967	\$ 129.22	\$ 25.84		\$ 103.38
115	431 E 42nd Place	0983	\$ 248.31	\$ 49.66		\$ 198.65
116	1102 Bingham (Houston, TX)	0074	\$ 1,318.31	\$ 263.66		\$ 1,054.65
Total			\$ 116,256.05	\$ 23,251.19	\$ 8,005.99	\$ 84,998.87
				Total Held Back	\$ 31,257.18	