

No. 23-1450

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

SECURITIES AND EXCHANGE COMMISSION,
Plaintiff -Appellee,
and

KEVIN B. DUFF,
Appellee,

v.

EQUITYBUILD, INC.,
Defendant,

APPEAL OF: BC57, LLC.

Appeal from the United States District Court
for the Northern District of Illinois, Eastern, Division
Case No. 1:18-cv-05587
The Honorable Manish S. Shah

**APPELLANT, BC57, LLC'S
MOTION TO VOLUNTARILY DISMISS APPEAL**

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MOTION TO VOLUNTARILY DISMISS APPEAL

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellant BC57, LLC, hereby moves to voluntarily dismiss the above-captioned appeal, without costs. Appellant has consulted with counsel for Appellees and counsel for the SEC, the Receiver, the Investor-Lenders, Leroy and Martha Johnson, LMJ Sales, and Kirk Road Investments do not oppose this motion. Counsel for Creditor 1839 Fund I LLC did not respond to Appellant's request.

Dated: March 22, 2023

Respectfully submitted,

By: /s/ Andrew R. DeVooght

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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g), I hereby certify that this motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27 because it contains 70 words, according to the count of Microsoft Word 2016, and it was prepared in 14-point Century, a proportionally spaced font.

Dated: March 22, 2023

/s/ Andrew R. DeVooght

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CERTIFICATE OF SERVICE

I hereby certify that on March 22, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Seventh Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Dated: March 22, 2023

/s/ Andrew R. DeVooght

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