

**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

Magistrate Judge Young B. Kim

**CLAIMANTS UBS AG AND MIDLAND'S
MOTION FOR ADMINISTRATIVE STAY**

Claimants UBS AG and Midland Loan Services, a Division of PNC Bank N.A., as servicer for (i) Wilmington Trust, N.A., as Trustee for the Benefit of CoreVest American Finance 2017-1 Mortgage Pass-Through Certificates and (ii) Wilmington Trust, N.A., as Trustee for the Registered Holders of CoreVest American Finance 2017-2 Trust, Mortgage Pass-Through Certificates 2017-2 (“Midland”)¹ (collectively, “Claimants”), through their undersigned counsel, hereby move this Court for an administrative stay of any distribution or disbursement of the proceeds from the sales of 2800 E 81st St (Property 108), 5618 S Martin Luther King Drive (Property 110), 6558 S Vernon Avenue (Property 111), 7450 S Luella Avenue (Property 112), 7840 S Yates Avenue (Property 113), 7760 S Coles Avenue (Property 50), 1401 W 109th Place (Property 51), 6807 S Indiana Avenue (Property 53), 8000 S Justine Street (Property 54), 8107 S Ellis Avenue (Property 55),

¹ Midland is acting as a servicer for Wilmington Trust, N.A., as Trustee for the Benefit of CoreVest American Finance 2017-1 Trust Mortgage Pass-Through Certificates (POC#1464) with respect to Property 50 only. For Properties 51, 53, 54, 55, 56, and 57, Midland is a servicer for Wilmington Trust, N.A., as Trustee for the Registered Holders of CoreVest American Finance 2017-2 Trust, Mortgage Pass-Through Certificates, Series 2017-2 (POC#1466).

8209 S Ellis Avenue (Property 56), and 8214 S Ingleside Avenue (Property 57) (collectively “the Properties”) to the Investor-Lenders, pending this Court’s consideration of Claimants’ forthcoming motion for a stay pending appeal. In support thereof, Claimants state as follows:

1. On December 23, 2024, the Court issued an order concluding that the Investor-Lenders’ mortgages have priority over the Claimants’ mortgages on the Properties. (Dkt. 1818, the Priority Order.)

2. The Court has not yet entered an order disbursing the proceeds consistent with the Court’s Priority Order.

3. When the Court enters a disbursement order with respect to Group 6 effectuating the Court’s Priority Order, Claimants will appeal the Court’s disbursement order, which brings up for review the Court’s priority determination in the Priority Order. Claimants will also promptly file with this Court a motion for a stay of any distributions or disbursements of the proceeds from the sale of the Properties pending appeal of the distribution order, effectuating the Court’s Priority Order.

4. Claimants respectfully requests that when the Court enters its disbursement order with respect to Group 6, the Court administratively stay distributions pursuant to that order which relate to the Properties pending a ruling on Claimants’ forthcoming motion for a stay pending appeal.

5. Such an administrative stay would be consistent with the Court’s prior orders administratively staying the distribution of funds pursuant to its Distribution Orders with respect to Groups 1 and 2, pending resolution of motions for stay pending appeal. (*See* Dkt. 1450, Dkt. 1694).

6. Counsel for Claimants has conferred with counsel for the Receiver, counsel for the SEC and counsel for certain Investor-Individuals regarding this motion for an administrative stay pending consideration of Claimants' forthcoming motion for a stay pending appeal. Counsel have all indicated that they do not object to this requested administrative stay.²

WHEREFORE, Claimants UBS AG and Midland, through its undersigned counsel, respectfully requests that this Court administratively stay the distribution or disbursement of the proceeds from the sale of the Properties to the Investor-Lenders pending this Court's consideration of Claimants' forthcoming motion for stay pending appeal.

Dated: December 24, 2024

Respectfully submitted,

/s/ Andrew R. DeVooght

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² Claimants' motion is not titled as "unopposed" because one of the parties preferred that Claimants indicate that the party does not object to the motion, versus indicating that the motion is "unopposed." Claimants truly appreciate the collegiality of each of the parties in not opposing this motion and have therefore titled their motion consistent with the party's request.

Attorneys for Claimant UBS AG and for Claimant Midland Loan Services a Division of PNC Bank N.A., as servicer for Wilmington Trust, N.A., as Trustee for the Benefit of CoreVest American Finance 2017-1 Mortgage Pass-Through Certificates, and as servicer for Wilmington Trust, N.A., as Trustee for the Registered Holders of CoreVest American Finance 2017-2 Trust, Pass-Through Certificates 2017-2

CERTIFICATE OF SERVICE

I hereby certify that on December 24, 2024, I electronically filed the foregoing **CLAIMANTS' MOTION FOR ADMINISTRATIVE STAY** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel of record.

/s/ Andrew R. DeVooght _____
Andrew R. DeVooght