

**THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA
CIVIL DIVISION**

**OFFICE OF THE ATTORNEY
GENERAL, DEPARTMENT OF LEGAL
AFFAIRS, STATE OF FLORIDA,**

Plaintiff,

CASE NO.: 51-2010-CA-2912-WS/G

v.

**BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL,
and JON HAMMILL, P.A.,**

Defendants.

RECEIVER'S TWENTY-FOURTH INTERIM REPORT

Receivership Information and Activity from October 22, 2016 through April 21, 2017

**BUSH ROSS, P.A.
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Attorneys for Receiver

I. Introduction

Michael E. Moecker, the Court-appointed Receiver, files this Twenty-Fourth Interim Report to inform the Court, the investors, and others interested in this Receivership of activities as well as the proposed course of action. The Receiver was appointed on April 1, 2010 by the Order of the Honorable Stanley R. Mills (the “**Receivership Order**”), in the case styled *Office of the Attorney General, Department of Legal Affairs, State of Florida v. Botfly L.L.C., David R. Lewalski, and Jon J. Hammill*, in the Circuit Court of the Sixth Judicial Circuit in and for Pasco County, Florida, case no. 51-2010-CA-2912-WS/G. As of the date of filing this Report, the Court has appointed Michael E. Moecker or his designee employed by Michael Moecker & Associates, Inc. as Receiver.

This Report is intended to provide a synopsis of the Receiver’s actions from October 22, 2016 through April 21, 2017 (the “**Reporting Period**”) and an overview of the Receiver’s activities during the Reporting Period.¹

II. The Receivership Entities’ Assets

As of April 21, 2017, **\$8,844,986.43** had been transferred to the Receivership’s accounts. The balance remaining in the Receivership account at the end of the Reporting Period was **\$67,242.90**.

III. Claim Payment

The Receiver has made four interim payments to the holders of allowed Class 1 Claims. To date, the Receivership has sent a total of **\$5,347,547.84** in interim distribution checks.²

¹On October 20, 2014, the Court (J. Mills) granted the Receiver’s request that Receivership’s interim reports be filed semi-annually instead of quarterly.

² Some of the payments sent to allowed Class 1 Claimants have never been deposited. In total \$5,344,714.84 of the payments have cleared the Receiver’s account. The Receiver will retain a reserve for the remainder.

IV. Receivership Accounting Reports

Exhibit A to this report contains a summary report of the amount of money on hand at the inception of the Receivership, less operating expenses, plus revenue through April 21, 2017, and the cash accounting report for the Reporting Period. During the Reporting Period, additional deposits totaling **\$16,734.54** were made to the Receivership's accounts and payments totaling **\$17,095.63** were made from the Receivership's accounts, leaving a balance of **\$67,242.90** in the Receivership accounts at the end of the Reporting Period.

The deposits made during the Reporting Period consisted of money recovered in connection with the Receiver's claims in the lawsuits brought by the Receiver. These recoveries include both payments made pursuant to court-approved settlement agreements and through the collection of judgments entered in the lawsuits. Disbursements were made during the Reporting Period to the holders of allowed Class I claims. In addition, payments were made for bank fees, for legal fees and costs, and for payment of the bond premium.

V. Litigation

The Receiver filed seventy-six lawsuits in Pasco County state court, the large majority of which seek avoidance and recovery of withdrawals of nonexistent profits supposedly earned in Botfly investor accounts.

All of the lawsuits have been resolved. The Receivership continues to collect payments owed pursuant to settlement agreements and payments made pursuant to the collection of judgments. Payments of approximately \$650,000.00 remain outstanding on settlement agreements reached to resolve claims prior to the entry of judgment or in the course of the collection of the judgments. In addition, the Receiver has continued to pursue collection of outstanding judgments.

CONCLUSION

Creditors of and investors in the Receivership Entities are encouraged to periodically check the informational website (www.botflyreceivership.com) for current information regarding the Receivership.

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Counsel for the Receiver

By: /s/ Karen Cox
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 26, 2017, a true and correct copy of the foregoing Receiver's Twenty-Fourth Interim Report Receivership Information and Activity from October 22, 2016 through April 21, 2017 was filed electronically with the Clerk of Court for Pasco County and furnished via electronic transmission to the following parties:

Gregory Slep, Esq.
greg.slep@myfloridalegal.com
marcia.johnson@myfloridalegal.com

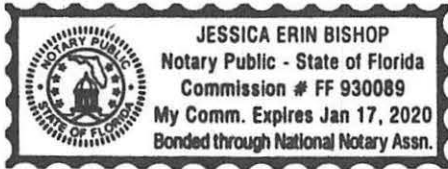
/s/ Karen Cox
ATTORNEY

In witness whereof, the undersigned, Michael Moecker, hereby files this Receiver's Twenty-Fourth Interim Report for the period from October 22, 2016 to April 21, 2017 with the Honorable Kimberly Sharpe, Circuit Court Judge of the Sixth Judicial Circuit in and for Pasco County, Florida, and declare under penalty of perjury and under the laws of the United States that the foregoing statements are true and correct.



Michael Moecker
P.O. Box 1757
Mt. Dora, Florida 32756

Sworn and subscribed before me this 25th day of July, 2017 by Michael Moecker, who is personally known to me or who produced N/A as identification.





Notary Public, State of Florida
Printed Name: Jessica Erin Bishop
My Commission Expires: Jan. 17, 2020

Receiver's Twenty-Fourth Interim Report
EXHIBIT A

Account Summary by Category Code

All Transactions Thru 04/21/17

293400 - Michael Moecker & Associates, Inc.

Case: 10-04063

Debtor: BOTFLY L.L.C

Judge: STA - STANLEY MILLS

Deposits	Category Total
3075 - Bank Analysis Fees	35.00
3362 - Interest Income	13,925.78
3513 - Security Deposit	10,000.00
3525 - Recovery Bank Accounts	4,988,370.20
3527 - Clawback Recovery	2,286,377.38
3660 - Refunds	197,032.73
3775 - Sale of Assets	866,276.30
3826 - Settlement	475,000.00
4120 - Bank/Credit Card Charges	30.00
4265 - Legal Costs	6,463.12
4660 - Taxes - Sales	1,475.92
Total:	8,844,986.43
Disbursements	Category Total
3075 - Bank Analysis Fees	-1,940.00
3365 - Professional Fees	-2,500.00
3660 - Refunds	-804.07
4178 - Computer/Technology	-7,942.00
4205 - Fedex & Delivery	-1,654.50
4210 - Insurance	-4,972.50
4260 - Legal Fees	-2,596,269.39
4265 - Legal Costs	-207,225.26
4280 - Legal Advertising	-36,826.58
4295 - Loan	-15,543.65
4320 - Maintenance	-115.00
4340 - Rent	-7,373.76
4350 - Moving Expense	-17,418.85
4400 - Office Expense	-47.55
4479 - Receiver Fees	-464,509.33
4553 - Service Fees	-20,784.08
4560 - Security	-6,557.53
4575 - Storage	-35,050.72
4580 - Surety Bond	-2,018.00
4660 - Taxes - Sales	-1,475.92
4740 - Returned checks/Chargebacks	-2,000.00
9225 - Pymt to Unsecured Credit	-5,344,714.84
Total:	-8,777,743.53

Date: 07/03/17

Account Summary by Category Code

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All Transactions Thru 04/21/17

293400 - Michael Moecker & Associates, Inc.

Case: 10-04063

Debtor: BOTFLY L.L.C

Judge: STA - STANLEY MILLS

Net Balance:

67,242.90

Account Summary by Category Code - Detail

Transactions From 10/22/16 Thru 04/21/17

Trustee: 293400 - Michael Moecker & Associates, Inc.

Case: 10-04063

Debtor: BOTFLY L.L.C

Judge: STA - STANLEY MILLS

Date	Received From	Item Description	Bank Account	Transaction	Amount
Deposits					
10/28/16	DEPOSIT	CLAWBACK RECOVERY	2132740008	Deposit 120	1,400.00
11/29/16	DEPOSIT	CLAWBACKS	2132740008	Deposit 121	1,450.00
01/04/17	DEPOSIT	CLAWBACKS	2132740008	Deposit 122	3,395.00
01/17/17	DEPOSIT	CLAWBACKS	2132740008	Deposit 123	2,450.00
02/03/17	KELLY KRONENBERG PA	CLAWBACK RECOVERY	2132740008	Deposit 124	2,177.10
02/27/17	KELLY KRONENBERG PA	CLAWBACK RECOVERY	2132740008	Deposit 125	807.44
03/06/17	KELLY KRONENBERG PA	CLAWBACK RECOVERY	2132740008	Deposit 126	1,620.00
03/22/17	BUSH ROSS PA	CLAWBACK	2132740008	Deposit 127	3,435.00
3527 - Clawback Recovery Total:					16,734.54
Deposits Total:					16,734.54
Disbursements					
10/25/16	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
10/25/16	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
11/25/16	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
11/25/16	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
12/27/16	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
12/27/16	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
01/25/17	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
01/25/17	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
02/27/17	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
02/27/17	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
03/27/17	UNION BANK	BANK SERVICE FEE	2132740008	Adjust-Out	-20.00
03/27/17	UNION BANK	BANK SERVICE FEE	2132740016	Adjust-Out	-20.00
3075 - Bank Analysis Fees Total:					-240.00

Account Summary by Category Code - Detail

Transactions From 10/22/16 Thru 04/21/17

Trustee: 293400 - Michael Moecker & Associates, Inc.

Case: 10-04063

Debtor: BOTFLY L.L.C

Judge: STA - STANLEY MILLS

Date	Disbursed To	Item Description	Bank Account	Transaction	Amount
Disbursements					
01/13/17	BUSH ROSS P.A.	LEGAL FEES 12/1/15 - 11/30/16	2132740016	Check 101190	-15,210.63
				4260 - Legal Fees Total:	-15,210.63
03/29/17	INTERNATIONAL SURETIES, LTD.	BOND # 016040909	2132740016	Check 101196	-250.00
				4580 - Surety Bond Total:	-250.00
01/24/17	ERIN DOHERTY	CLAIM 0194, PAYMENT 1.0000%	2132740016	Check 101191	-250.00
01/24/17	MICHAEL DOHERTY	CLAIM 0450, PAYMENT 1.0000%	2132740016	Check 101192	-250.00
01/24/17	SEAN DOHERTY	CLAIM 0602, PAYMENT 1.0000%	2132740016	Check 101193	-250.00
01/26/17	STARDUST LLC	CLAIM 0624, PAYMENT 1.0000%	2132740016	Check 101194	-420.00
01/26/17	DARIN AND RINDA MIZELLE	CLAIM 0120, PAYMENT 1.0000%	2132740016	Check 101195	-225.00
				9225 - Pymt to Unsecured Credit Total:	-1,395.00
				Disbursements Total:	-17,095.63
				Net Balance:	-361.09