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3649 Lakeharbor Lane
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Attorney for the Independent Fiduciary, Jeanne Bryant

## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

THOMAS E. PEREZ, Secretary of the United States Department of Labor,

Plaintiff,
Case No.: 1:12-CV-00236-EJL
v.

MATTHEW D. HUTCHESON, HUTCHESON WALKER ADVISORS LLC, GREEN VALLEY HOLDINGS LLC, and the RETIREMENT SECURITY PLAN AND TRUST, f/k/a PENSION LIQUIDITY PLAN AND TRUST,

Defendants.

## FEBRUARY 2014 INDEPENDENT FIDUCIARY REPORT AND FEE NOTICE OF COSTS AND EXPENSES

PURSUANT TO THE Preliminary Injunction entered on June 13, 2012 [Doc. 16], Jeanne B. Bryant, Independent Fiduciary for Retirement Security Plan \& Trust (RSPT) submits this Twenty-Second Report and Notice for the period beginning February 1, 2014 - February 28, 2014.

## I. ACTIVITY REPORT

There have been a number of issues that have occurred with RSPT since the last report of the Independent Fiduciary ("IF"). The IF informed the Employer members of the current status of their individual collections involving the monthly administration fee. Attached as Exhibit 1 is a report noting the collections and payments made from the account for previously approved fees and cost through February 2014. The Independent Fiduciary has determined to collect any unpaid monthly administration fees using the same process previously approved by the Court.

The IF has hired contingency counsel for asset recovery legal services, and has received payment from ASPire for any amounts due for previously approved fees and costs concerning the PCB investment from those members holding such accounts. All costs have been paid by the RSPT and/or its Plans on an ongoing basis, pursuant to the payment submission and approval procedures previously outlined in the court's Preliminary Injunction Order entered on June 13, 2012.

A conference call was held on March 19, 2014 with employers to provide a current status update on all asset collection efforts and the issues presented concerning those efforts.

As a result of the process accepted by the Court, the voting concerning the settlement with Fletcher was approved by $88 \%$ of those members voting, and the settlement was finalized. The Note concerning the PCB investment has been turned over to the RSPT counsel in Idaho. A foreclosure action was filed against Green Valley Holdings and West Mountain Golf. The IF is working with counsel and is advising the RSPT group on an ongoing basis of the progress of the asset recovery efforts.

Last year the Independent Fiduciary sent notice of the issue of payment of property tax on the Idaho property to the RSPT employer group and the collections were completed before the end of July 2013 and the taxes paid. As a result, the Plans' interest in the golf resort properties was preserved. This year it will likely be necessary to pay similar property taxes in order to forestall any further tax sale of the property.

The IF is also pursuing a fiduciary bond claim on the fiduciary bond insuring against Hutcheson's actions. This case remains ongoing, with the parties currently engaging in discovery. The IF is also pursuing recovery of a house located within Tamarack Resort that was previously owned by Green Valley Holdings, LLC (Hutcheson's company that "borrowed" the funds from RSPT to purchase the golf course note and mortgage). That matter also remains pending, with the Defendants (and current owners - Mr. Hutcheson’s mother- and father-in-law) actively defending that case. A trial in that matter is currently set for March 30, 2015. The IF is also investigating potential additional claims against additional parties.

## II. ANTICIPATED FUTURE ACTIVITIES AND RESOLUTION OF ISSUES

1. Early Withdrawal Procedures. As stated in earlier reports, an early withdrawal process has been discussed with the Department of Labor and the IF filed information and the process that would be followed in the October Report filed with the Court in early December 2012. There were no objections filed to that process. As of this report 10 employers have completed the early withdrawal process, and 2 employers have partially completed the process.
2. Valuations for Individual Employers. Employers under the terms of the RSPT Plans’ Documents are required to provide an annual independent business valuation to the Plans' trustee and administrator. All but 10 employers complied by submitting business valuation information on their companies’ valuations as of 12-31-2012. Similar notification from last year will be
issued this year. The co-trustee agreements executed by each sponsoring employer requires a business valuation to be submitted by May 31 following the end of a plan year at 12-31.
3. Directed Investments by Members. The IF has determined not to amend the Plan Document to allow participants to direct individual investments and to maintain the current Plan structure. Investment changes can be made by contacting the IF's office who, once receiving appropriate documentation, will issue instructions to ASPire. The available mutual funds are not being changed.
4. Hardship Applications. The IF has received 5 hardship applications from 5 members. Four hardship applications have been granted and three have been paid. One remains pending completed distribution forms. The other remains pending due to the fact the account has no liquid balance. The IF believes that, given the strict limitations on hardship distributions, no significant harm to the RSPT plans will occur if hardship applications are allowed to be processed. The IF has established procedures for handling hardship distribution applications and required minimum distributions, and after consultation with the DOL believes the previous Orders issued by the Court allow the IF to process hardship distribution applications without any other Orders being required. The IF has adopted an amendment to the plan in order to assist members with this process and has sent out Notice of this amendment to the members.

## III. ACCOUNTINGS REGARDING THE RSPT PLANS

As noted in Section 18 of the June 13, 2012 Preliminary Injunction, before causing the RSPT Plans to pay compensation, fees or expenses, the IF is to provide written notice (the "Fee Notice") of such compensation, fees or expenses, by filing the Fee Notice (such as set forth herein) with the Court, and by serving a copy of that filing to the Secretary of the U.S.

IF intends to submit her Fee Notice and Activity Report on a monthly basis. If, within fifteen (15) days after filing of a Fee Notice, no objection to the Fee Notice, nor to payment by the Plan of the compensation, fees or expenses described therein, is filed with the Court, such compensation, fees or expenses shall be deemed reasonable expenses of the RSPT Plans and shall be paid by the RSPT Plans without further action or approval of the Court. The fees and expenses will be allocated as outlined above. In an effort to reduce costs, copies of this Report and Fee Notice are being posted to a website of the IF's company Receivership Management, Inc. ("RMI") and the participating employers will be given notice of the filing.

Attached hereto as Exhibit 2 is a schedule of the hourly rates for the Independent Fiduciary and the hourly rates of any staff of Receivership Management, Inc. that might be used to carry out the terms of the Court's June 13, 2012 Preliminary Injunction.

Attached hereto as Collective Exhibit 3 are expense summaries for the period of February 1, 2014 - February 28, 2014.

Total expenses, as listed on Collective Exhibit $\mathbf{3}$ include $\$ 1,950.00$ in IF fees, $\$ 2,827.35$ in legal expenses, and $\$ 10,616.47$ in contract labor expenses (which include auditor fees and identified charges for other fees, postage, copies, telephone, travel, etc.) for the period of February 1, 2014 - February 28, 2014. As previously reported, Lattimore Black has agreed to payment in increments of $\$ 5,000$ as required in order to space out their payments for the concentrated work for the 2012 reporting that they are currently undertaking.

Please note that counsel have, as necessary, redacted exact descriptions of litigation issues in order to protect applicable privileges, and the IF may also redact the names of employers and or members as to protect the companies or the members involved when responding to individual questions if required. The IF believes that the remaining descriptions
are sufficient for approval of the charges requested. All expenses and fees are separated between those costs necessary for administration and those costs necessary for asset recovery, and will be paid as noted in this report.

In the absence of any objection, total reimbursement for $\$ 1,950.00$ in IF fees, $\$ 2,827.35$ in legal expenses and $\$ 10,616.47$ in contract labor expenses for administration and litigation will be paid from the Plan's expense reserve in accordance with the Court's June 13, 2012 Preliminary Injunction. The exact amounts and the parties to be paid are listed below:

1. Jeanne Barnes Bryant
2. Angstman Johnson
3. Berry \& Tudor
4. Lattimore Black Morgan \& Cain
5. Receivership Management Inc.
\$4,801.50/Contract labor
\$1,814.97/Other expenses

Pursuant to the Court's June 13, 2012 Preliminary Injunction [Doc. 16], if no objection is filed with the Court within fifteen (15) days after the filing of this Notice and Report, the IF will proceed to authorize payments due counsel and any other parties listed.

DATED this $28^{\text {th }}$ day of March, 2014.
/s/ Matt Christensen
MATTHEW T. CHRISTENSEN
Attorney for Jeanne B. Bryant, Independent Fiduciary for RSPT Plans

## CERTIFICATE OF SERVICE

I hereby certify that on this $28^{\text {th }}$ day of March, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the individual(s) so noted below.

| Jamila B. Minnicks | minnicks.jamila@dol.gov |
| :--- | :--- |
| Michael R. Hartman | hartman.michael@dol.gov |
| Michael A. Schloss | schloss.michael@dol.gov |
| Raymond E. Patricco | raymond.patricco@usdoj.gov |
| Michael J. Elia | mje@mbelaw.net |
| J. Graham Matherne | gmatherne@wyattfirm.com |
| Matthew T. Christensen | mtc@angstman.com |

All others as listed on the Court's ECF Notice.
I further certify that on the $28^{\text {th }}$ day of March, 2014, I served a copy of the foregoing notice on the following individuals or entities via US Mail, postage prepaid.

Matthew D. Hutcheson
33 Pinnacle Court
Donnelly, ID 83615
Matthew D. Hutcheson
14076 Morell Road
McCall, Idaho 83638
Monty W. Walker
c/o R. Bradford Huss
Trucker Huss, APC
One Embarcadero Center, $12^{\text {th }}$ Floor
San Francisco, CA 94111

Matthew D. Hutcheson 14620-023
Federal Correctional Institution
P.O. Box 3007

Terminal Island, CA 90731

DATED: March 28, 2014
/s/ Matt Christensen
Matthew T. Christensen (RECEIVED $\$ 280,695.00$ FROM INCEPTION THRU 02-28-14)

| COCODE | ARCODE | Date | Amount | YYYYMM |
| :--- | :--- | ---: | ---: | :--- |
| RSPT103 | RSPT103 201402 | $2 / 3 / 2014$ | 210.00 | 201402 |
| RSPT48 | RSPT48 201402 | $2 / 3 / 2014$ | 210.00 | 201402 |
| RSPT71 | RSPT71 201402 | $2 / 3 / 2014$ | 210.00 | 201402 |
| RSPT72 | RSPT72 201402 | $2 / 7 / 2014$ | 210.00 | 201402 |
| RSPT78 | RSPT78 201402 | $2 / 7 / 2014$ | 210.00 | 201402 |
| RSPT23 | RSPT23 201402 | $2 / 7 / 2014$ | 210.00 | 201402 |
| RSPT26 | RSPT26 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT45 | RSPT45 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT75 | RSPT75 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT07 | RSPT07 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT40 | RSPT40 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT68 | RSPT68 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT18 | RSPT18 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT55 | RSPT55 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT12 | RSPT12 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT02 | RSPT02 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT50 | RSPT50 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT11 | RSPT11 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT15 | RSPT15 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT16 | RSPT16 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT04 | RSPT04 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT33 | RSPT33 201402 | $2 / 11 / 2014$ | 210.00 | 201402 |
| RSPT31 | RSPT31 201402 | $2 / 13 / 2014$ | 210.00 | 201402 |
| RSPT47 | RSPT47 201402 | $2 / 21 / 2014$ | 210.00 | 201402 |
| RPST67 | RPST67 201403 | $2 / 24 / 2014$ | 210.00 | 201402 |
| RSPT13 | RSPT13 201402 | $2 / 24 / 2014$ | 210.00 | 201402 |
| RSPT65 | RSPT65 201402 | $2 / 24 / 2014$ | 210.00 | 201402 |
| RSPT73 | RSPT73 201403 | $2 / 27 / 2014$ | 210.00 | 201402 |
| RSPT05 | RSPT05 201311 | $2 / 27 / 2014$ | 210.00 | 201402 |
| RSPT05 | RSPT05 201312 | $2 / 27 / 2014$ | 210.00 | 201402 |
| RSPT05 | RSPT05 201401 | $2 / 27 / 2014$ | 210.00 | 201402 |
| RSPT05 | RSPT05 201402 | $2 / 27 / 2014$ | 210.00 | 201402 |
|  |  | $6,720.00$ |  |  |

## Receivership Management, Inc.

783 Old Hickory Blvd., Suite 255 Brentwood, TN 37027 (615) 370-0051 Fax (615) 373-4336

Effective July 1, 2008

Fee Schedule for Receivership Management, Inc:

| Jeanne Barnes Bryant | $\$ 150$ per hour |
| :--- | ---: |
| Rob Moore | $\$ 130$ per hour |
| Billy Spaulding | $\$ 110$ per hour |
| Sarah Forton | $\$ 45$ per hour |
| Information Tech Consultant | $\$ 65$ per hour |

Overhead charges are allocated pro-rata based upon the number of hours billed to a receivership. Currently overhead is billed at $\$ 11.00$ per hour. Overhead includes expenses of a general nature which cannot be charged to a specific receivership. Examples include depreciation on equipment, insurance, etc.

Rent is allocated to a receivership based on a physical presence (ie. Files, records, and other documentation) at the RMI location and the time spent on that receivership. It is by its nature an estimate and is normally set at the beginning of each quarter and remains constant during that quarter. The allocation is reviewed each month and if there is a material change in either the physical presence occupied or time spent on the receivership, the rent allocation is adjusted to reflect current conditions.

Office Expenses which can be specifically identified to a receivership (eg. telephone, postage, copies etc.) are charged to the receivership as incurred.

Travel: Per Diem- $\$ 39.00$ for meals and incidentals (first and last day of travel $75 \%$ of per diem amount allowed). Per Diem paid only if overnight travel is required. Transportation: By private car: 50 cents per mile; By common carrier: Actual ticket cost at coach. Lodging: Actual amount charged.


## SUMMARY TIME SHEET

## SERVICES PROVIDED FOR RETIREMENT SECURITY PLAN \& TRUST

 FOR THE PERIOD 2/01/14 THROUGH 2/28/14Jeanne Barnes Bryant

> FEBRUARY 2014 FEES - ADMIN
> FEBRUARY 2014 FEES - ASSET RECV

| $1,785.00$ |  |
| ---: | ---: |
| 165.00 | $1,950.00$ |

Receivership Management, Inc.

| FEBRUARY 2014 FEES - ADMIN | $4,801.50$ |  |
| :--- | ---: | ---: |
| RMI EXPENSES - ADMIN - FEBRUARY 2014 | $1,802.87$ |  |
| RMI EXPENSES - ASSET RECV - FEB 2014 | 12.10 | $6,616.47$ |

Angstman Johnson

| FEB 2014 FEES - ADMIN | INV 43931 | 301.00 |  |
| :--- | :--- | ---: | ---: |
| FEB 2014 FEES - ASSET RECV | INV 43933 | $1,050.85$ | $1,351.85$ |

Lattimore Black Morgan \& Cain PC
PREVIOUSLY SUBMITTED
INV $10414619 \quad 4,000.00 \quad 4,000.00$
Berry \& Tudor

FEB 2014 FEES - ADMIN
FEB 2014 FEES - ASSET RECV
TOTAL FEES

INV $18990 \quad$ 1,188.00 INV 18992 287.50 $1,475.50$

## SUMMARY TIME SHEET-ADMINISTRATIVE EXPENSE

 SERVICES PROVIDED FOR RETIREMENT SECURITY PLAN \& TRUST FOR THE PERIOD 2/01/14 THROUGH 2/28/14| FEBRUARY 2014 FEES | 1,785.00 | 1,785,00 |
| :---: | :---: | :---: |
| Receivership Management, Inc. |  |  |
| FEBRUARY 2014 FEES | 4,801.50 |  |
| RMI EXPENSES - FEBRUARY 2014 | 1,802.87 | 6,604.37 |
| Angstman Johnson |  |  |
| FEBRUARY 2014 FEES INV 43931 | 301.00 | 301.00 |
| Berry \& Tudor, PC |  |  |
| FEBRUARY 2014 FEES INV 18990 | 1,188.00 | 1,188.00 |
| Lattimore Black Morgan \& Cain PC |  |  |
| PREVIOUSLY SUBMITTED INV 10414619 | 4,000.00 | 4,000.00 |
| TOTAL FEES |  | 13,878.37 |

Receivership Management, Inc.
Brentwood, TN 37024
Invoice for Professional Services

| RETIREMENT SECURITY PLAN \& TRUST - ADMIN |  |  |  |  | February 2014$\$ 105.00$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 2/3/2014 | Jeanne Barnes Bryant | E-MAILS FROM COUNSEL RE DISCOVERY, E-MAIL RE MOTION, QUESTIONS RE FORFEITURE ACCOUNTS, E-MAIL FROM BILLY SPAULDING RE ADMINISTRATION COSTS, E-MAIL FROM COUNSEL RE LETTER, QUESTION RE SCHEDULING FOR LITIGATION, E-MAIL FROM DOL RE RECORDS REQUEST, E-MAIL FROM COUNSEL RE SAME | 0.7 | \$150.00 |  |
| 2/4/2014 | Jeanne Barnes Bryant | E-MAILS RE ASPIRE, E-MAIL TO AND FROM COUNSEL RE RECORDS ISSUES, QUESTION FROM BILLY SPAULDING RE COSTS | 0.4 | \$150.00 | \$60.00 |
| 2/5/2014 | Jeanne Barnes Bryant | E-MAIL FROM COUNSEL RE FILINGS, E-MAIL TO MEMBERS RE QUESTIONS, E-MAIL FROM ASPIRE | 0.5 | \$150.00 | \$75.00 |
| 2/6/2014 | Jeanne Barnes Bryant | E-MAIL FROM COUNSEL RE LOMA LETTER, RESPONSE RE SAME, EMAIL RE ASPIRE | 0.5 | \$150.00 | \$75.00 |
| 2/7/2014 | Jeanne Barnes Bryant | E-MAIL FROM COUNSEL RE BOND LITIGATION, DISCUSSION WITH ROB MOORE RE LOMA LETTER, E-MAILS RE MG TRUST AND BOND QUESTIONS, E-MAILS FROM ASPIRE | 0.5 | \$150.00 | \$75.00 |
| 2/10/2014 | Jeanne Bames Bryant | E-MAILS FROM COUNSEL RE SCHEDULING ORDERS AND TRIALS, QUESTIONS RE ASPIRE, DISCUSSION WITH COUNSEL RE PROPOSALS ON MAINTENANCE OF PROPERTY, E-MAILS RE SAME | 1 | \$150.00 | \$150.00 |
| 2/11/2014 | Jeanne Barnes Bryant | E-MAIL RE TRIAL AND MOTION FILINGS FROM COUNSEL, E-MAIL FROM ROB MOORE RE WITHDRAWALS, QUESTION FROM BANK RE SAME | 0.6 | \$150.00 | \$90.00 |
| 2/12/2014 | Jeanne Barnes Bryant | OBTAIN BANK SIGNATURE RE WITHDRAWALS, E-MAIL FROM ASPIRE RE QUESTIONS, E-MAIL FROM COUNSEL RE ORDER FROM COURT ON BOND CASE, DISCUSSION WITH COUNSEL RE SAME | 1 | \$150.00 | \$150.00 |


| RETIREMENT SECURITY PLAN \& TRUST - ADMIN |  |  |  |  |  | February 2014 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2/13/2014 | Jeanne | Barnes Bryant | E-MAIL FROM COUNSEL RE HEARING, E-MAIL FROM ASPIRE RE QUESTIONS ON ACCOUNTS | 0.3 | \$150.00 | \$45.00 |
| 2/14/2014 | Jeanne | Barnes Bryant | DRAFT JANUARY REPORT, QUESTIONS RE EXHIBITS AN ISSUES FOR COUNSEL, E-MAIL TO ROB MOORE RE REPORT | 0.8 | \$150.00 | \$120.00 |
| 2/17/2014 | Jeanne | Bames Bryant | E-MAIL FROM ROB MOORE RE ASPIRE QUESTION, E-MAIL RE FINAL REPORT FROM COUNSEL AND ROB MOORE, REVIEW SAME AND EMAIL TO DOL | 0.5 | \$150.00 | \$75.00 |
| 2/18/2014 | Jeanne | Barnes Bryant | E-MAIL FROM DOL RE CHANGES, E-MAIL TO COUNSEL RE CHANGES AND FILING REPORT, E-MAIL RE ASPIRE QUESTIONS | 0.3 | \$150.00 | \$45.00 |
| 2/19/2014 | Jeanne | Barnes Bryant | E-MAIL RE ASPIRE QUESTIONS | 0.2 | \$150.00 | \$30.00 |
| 2/20/2014 | Jeanne | Barnes Bryant | E-MAIL FROM COUNSEL RE CALL, QUESTION RE REPORT | 0.2 | \$150.00 | \$30.00 |
| 2/21/2014 | Jeanne | Barnes Bryant | E-MAILS RE ASPIRE QUESTIONS, E-MAIL FROM COUNSEL RE OBJECTIONS, QUESTION RE CALL, E-MAIL TO COUNSEL RE FILING | 0.5 | \$150.00 | \$75.00 |
| 2/24/2014 | Jeanne | Barnes Bryant | E-MAILS RE ASPIRE, E-MAIL FROM ROB MOORE AND BILLY SPAULDING RE QUESTIONS FROM PARTICIPANTS, E-MAIL RE CALL, CALL WITH COUNSEL RE QUESTIONS AND EMAIL TO GROUP, DISCUSSION WITH ROB MOORE RE SAME, E-MAIL TO COUNSEL RE CHANGES | 1 | \$150.00 | \$150.00 |
| 2/25/2014 | Jeanne | Barnes Bryant | E-MAIL FROM COUNSEL RE AGREEMENT, E-MAIL FROM ROB MOORE RE ASPIRE QUESTIONS, QUESTIONS FROM PARTICIPANTS, AND QUESTIONS RE CONFERENCE CALL | 0.5 | \$150.00 | \$75.00 |
| 2/26/2014 | Jeanne | Barnes Bryant | E-MAILS FROM ROB MOORE AND ASPIRE RE QUESTIONS ON VALUATIONS AND DATA, DISCUSSION WITH ROB MOORE RE GROUP CALL AND ISSUES RE SAME, E-MAIL FROM ROB MOORE RE VALUATIONS | 0.8 | \$150.00 | \$120.00 |
| 2/27/2014 | Jeanne | Barnes Bryant | E-MAIL FROM BILLY SPAULDING RE EVENTUAL ALLOCATIONS BACK FROM LITIGATION, QUESTIONS RE SAME, E-MAIL RE ASPIRE QUESTIONS, REVIEW AND SIGN CHECK FOR ASPIRE, E-MAIL TO COUNSEL RE HEARING | 0.6 | \$150.00 | \$90.00 |
| 2/28/2014 | Jeanne | Barnes Bryant | E-MAIL TO COUNSEL, CALL RE HEARING AND ADDITIONAL EMAIL TO GROUP, E-MAIL RE ASPIRE, DRAFT E-MAIL TO GROUP | 1 | \$150.00 | \$150.00 |


| RETIREMENT SECURITY PLAN \& TRUST - ADMIN | February 2014 |
| :--- | :---: |
| Total | $\$ 1,785.00$ |

Page 3 of 3
Receivership Management, Inc.
P. O. Box 2307
Brentwood, TN 37024

| RETIRE | T SECURITY P1 | TRUST - ADMIN |  |  | February 2014 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 2/3/2014 | Robert E. Moore, Jr. | CONFERENCE CALL WITH A.MILLWARD AND B.TUDOR RE: UNALLOCATED FUNDS .9; UPDATE J.BRYANT RE: SAME . 2 | 1.1 | \$130.00 | \$143.00 |
| 2/3/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS | 0.5 | \$45.00 | \$22.50 |
| 2/4/2014 | Robert E. Moore, Jr. | PARTICIPANT WITHDRAWAL FORM | 0.75 | \$130.00 | \$97.50 |
| 2/5/2014 | Robert E. Moore, Jr. | CALL WITH PARTICIPANT $\qquad$ RE: HARDSHIP DISTRIBUTION, REVIEW RULES, RETURN CALL, FOLLOW UP WITH B.TUDOR RE: SAME, . 5 ; CALL WITH B.TUDOR RE QES QUESTION . 25 ; PARTICIPANT WITHDRAWAL INQUIRY. 10 | 0.85 | \$130.00 | \$110.50 |
| 2/6/2014 | Robert E. Moore, Jr. | CALL WITH RE: RTATUS, WITHDRAWAL PROCESS, ASSE COLECCHON ISSUE 5 | 0.5 | \$130.00 | \$65.00 |
| 2/6/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS | 0.5 | \$45.00 | \$22.50 |
| 2/7/2014 | Robert E. Moore, Jr. | PREPARED RESPONSE TO J.NUNNALLY RE: BOND RENEWAL .75; ISSUE EMAIL TO SUZANNE WALTERS AND ALLISON MILLWARD RE: REQUEST FROM BOND COMPANY .2; REVIEW REPLY AND RESPOND .10 | 1.05 | \$130.00 | \$136.50 |
| 2/7/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS, CALLS FROM PARTICIPANTS RE: STATUS, WORK ON FILES | 1 | \$45.00 | \$45.00 |

Wednesday, March 19, 2014
Invoice for Professional Services

| RETIREMENT SECURITY PLAN \& TRUST - ADMIN |  |  |  |  | $\frac{\text { February } 2014}{\$ 266.50}$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 2/10/2014 | Robert E. Moore, Jr. | CONFERENCE CALL WITH J. BRYANT, M.CHRISTENSEN AND T.J. ANGSTMAN RE: PROPERTY QUESTIONS, MEETING WITH J.BRYANT RE: SAME 5; PREPARE EARLY WITHDRAWAL DOCUMENTS FOR THE CALCULATE LOST EARNINGS, REPLACEMENT FUNDS, RESPOND TO EMAIL FROM A.MILLWARD RE: UNALLOCATED MONEY MARKET FUNDS, RESPOND TO EMAIL FROM S.WALTERS RE: LETTER FOR BOND COMPANY, ISSUE ADDRESS REQUEST TO J.NUNNALLY 1.2; PARTICIPANT HQUIRY CALL . 10; REVIEW DATA RE | 2.05 | \$130.00 |  |
| 2/10/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS | 0.5 | \$45.00 | \$22.50 |
| 2/11/2014 | Robert E. Moore, Jr. | REVIEW EMAIL FROM RE: REVIEW OF ACCOUNTS, FORWARD QUESTIONS TO B.TUDOR RE: SAME .2; REVIEW INFORMATION FROM J.NUNNALLY RE: BOND RENEWAL FORWARD SAME TO S.WALTERS AT MG TRUST . 10 ; RESPOND TO B.TUDOR RE: QES QUESTION 10; PREPARE TRANSFER OF CERTIFICATE FOR , 2; RESEARCH BANKRUPTCIES ON THE REVIEW SAME WITH B.TUDOR .8; REVIEW EMAIL FROM M.CHRISTENSEN RE: LOMA . 10; DISCUSSION WITH J.BRYANT RE: SAME 3 | 1.8 | \$130.00 | \$234.00 |
| 2/11/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS | 0.5 | \$45.00 | \$22.50 |
| 2/12/2014 | Robert E. Moore, Jr. | REVIEW EMAIL FROM M.CHRISTENSEN RE: BOND CASE . 10; REVIEW AND FORWARD EMAIL FROM J.NUNNALLY ON BOND RENEWAL .10; | 0.2 | \$130.00 | \$26.00 |
| 2/13/2014 | Robert E. Moore, Jr. | REVIEW EMAIL FROM J.BRYANT RE: COURT PROCEEDING ON COLONIAL BOND . 10 ; RESEARCH AND RESPOND TQ $\qquad$ NRQUIRY .7; RESEARCH AND REVIEW NON COMPLIANCE EMPLOYERS ON BUSINESS VALUATIONS, ISSUE EMAILS TQ $\qquad$ AND EMAIL TO B.TUDOR ON CO-TRUSTEE AGREEMENTS 1.2 | 2 | \$130.00 | \$260.00 |
| 2/13/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS | 0.5 | \$45.00 | \$22.50 |


| RETIREMENT SECURITY PLAN \& TRUST - ADMIN |  |  |  |  | $\frac{\text { February } 2014}{\$ 214.50}$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 2/14/2014 | Robert E. Moore, Jr. | UPDATE ACTIVITY REPORT 2;MEETING WTH IBRYANT RE: UPDATE ON PROPERTY 2, CALL WITHBTUDOR RE CO-TRUSTEE AGREEMENTS . 5 ; REVIEW NFORMATION FROM INFORMATION FROM B.SPAULDING RE QES VALUATION OF AMILLWARD FOR QES VALUATION OF SHARE DISTRIBUTION TO $\qquad$ $\qquad$ .4 $\qquad$ $\qquad$ . 25 , REVIEW AND EMAL FROM MCHRISTENSEN RE: ACTIVITY REPORT:10, PREPARE | 1.65 | \$130.00 |  |
| 2/17/2014 | Sarah D. Forton | WORK ON MOTION FILING, E-MAIL TO ASPIRE RE: PARTICIPANT ADDRESS CHANGE | 1.5 | \$45.00 | \$67.50 |
| 2/18/2014 | Robert E. Moore, Jr, | EMAIL TO B.TUDOR RE: DOL SUGGESTED LANGUAGE IN MONTHLY REPORT. 10 | 0.1 | \$130.00 | \$13.00 |
| 2/18/2014 | Sarah D. Forton | CORRECTIONS TO MOTION, E-MAILS RE: SAME, FORWARD STOCK CERTIFICATES | 1.5 | \$45.00 | \$67.50 |
| 2/20/2014 | Robert E. Moore, Jr. | REVIEW AND RESPOND TO EMAIL FROV RE: QES VALUATION QUESTIONS . 2 | 0.2 | \$130.00 | \$26.00 |
| 2/21/2014 | Billy B. Spaulding | DOWNLOAD ASPIRE TY 2013 PLAN STMT REPORT AND TY 2013 PARTICIPANT CENSUS DATABASE. ADD COLUMNS TO DATABASE TO SHOW 12-31-12 AND 12-31-13 PCB, QES AND LIQUID ASSETS IN SEPARATE COLUMNS. ADD RSPT CODES AND COMPANY NAMES TO DATABASE. | 4.5 | \$110.00 | \$495.00 |
| 2/21/2014 | Sarah D. Forton | TRAVEL TO BANK, MAKE DEPOSIT, BOOK EMPLOYER PAYMENTS, WORK IN FILES, E-MAIL RE: MOTION FILING, E-MAIL RE: BUSINESS VALUATION | 2 | \$45.00 | \$90.00 |
| 2/24/2014 | Billy B. Spaulding | DOCUMENT PREVIOUS ACTIVITY AND PREPARE RESPONSE TO PARTICIPANTS QUESTIONS ON FUNDING AND REIMBURSEMENT OF PROPERTY TAX PAYMENT AND TOTAL EXPENSES TO DATE. ANALYSIS OF TY 2013 PARTICIPANT LOAN ACTIVITY. UPDATE LOAN DATABASE TO REFLECT LOAN PAYMENTS AND ASP | 2.7 | \$110.00 | \$297.00 |



Wednesday, March 19, 2014
2/1/14 Through 2/28/14

|  | $\begin{gathered} \stackrel{n}{\infty} \\ \stackrel{N}{\circ} \end{gathered}$ | $\stackrel{9}{6}$ |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |



## Bill To:

Retirement Security Plan and Trust 783 Old Hickory Blvd., Suite 255 Brentwood TN 37027

|  | 10/1/13-12/31/13 |
| :---: | :---: |
|  | 0020305 |
|  | 2/6/2014 |
| Cutiometibes | RETIREM001 |
| Hamentames | Due on receipt |

Please note, If applicable:
Revenue Share allocated to offset fees is represented as a credit. Liquidated fees are assets sold from the plan/participant(s) and is represented as a credit.
Asset based rates are rounded to flve decimal places for invoice presentation only.

Plan: 5299|ICM|Distribution Fee


## Please wire payment to:

Aspire Financial Services, LLC
Silicon Valley Bank
3003 Tasman Dr., Santa Clara, CA 95054
RTN/ABA: 121140399
Account: 3301027068

## Credit card payment:

Please call 813-874-0671 $\times 2211$

Please detach and submit this portion with your payment.

| fruter | 0020305 |
| :---: | :---: |
| WEx | 2/6/2014 |
| Ficustomerth. | RETIREM001 |
| 6balancointieks | \$75.00 |

PLEASE REMIT PAYMENT TO:
Aspire Financial Services, LLC
PO Box 200472
Pittsburgh, PA 15251-0472
Total Payment Enclosed: $\square$

ANGSTMAN JOHNSON
3649 N. Lakeharbor Lane Boise, ID 83703
(208) 384-8588

TAX ID 52-2300434

Receiver Management, Inc. Jeanne Bryant 783 Old Hickory Blvd., Suite 255 Brentwood, TN 37027


Statement No. 43931

For Professional Services Rendered Through February 28, 2014
8571-002: Perez v. Hutcheson, Case No. 12-CV-00236-EJL


## Statement Summary

# Berry \& Tudor, P.C. <br> A Professional Corporation <br> 5123 Virginia Way Suite B-23 <br> Brentwood, Tennessee 37027-7598 

Telephone: (615) 726-1000
Fax: (615) 370-0077
FEDN: 62-1525112

Ms. Jeanne Barnes Bryant
March 3, 2014
c/o Receivership Management, Inc. 783 Old Hickory Blvd., Suite 255
Brentwood, TN 37027
Client \#: 857

RE: Retirement Security Plan \& Trust - General Administration
Invoice \#: 18990

DATE
DESCRIPTION
HOURS AMOUNT
0.90
225.00

BET resolution of odd transactions; emails from A. Millward and to R. Moore re: same.

| Feb-05-14 | Telephone conferences with R. Moore re: hardship <br> distribution request (purchase of car for participant's <br> daughter) and co-sponsor's obtaining valuation of | 0.30 | 75.00 | BET |
| :--- | :--- | :--- | :--- | :--- |
|  | QES before distribution to participant at termination |  |  |  |
|  | of co-sponsor's portion of RSPT. |  |  |  |

Feb-10-14 Emails from A. Millward and R. Moore re: resolution $\quad 0.10 \quad 25.00$ BET of loan overpayments.

Feb-11-14 Emails from and to R. Moore re: early withdrawal of 1.60 400.00 BET The Lord Provides, Inc.; telephone conference with R. Moore re: same and re $\quad$ valuation issues.

| Feb-12-14 | Email from R. Moore re: ERISA bond increased to | 0.10 | 25.00 | BET |
| :--- | :--- | :--- | :--- | :--- |
|  | $\$ 1,000,000$ |  |  |  |

Feb-14-14 Email from R. Moore re: employers refusing to obtain
0.60
150.00 BET QES valuations; telephone conferences with $R$. Moore re: same.
$\begin{array}{lllll}\text { Feb-19-14 } & \begin{array}{l}\text { Emails from and to R. Moore re: MEP language for } \\ \text { fee report. }\end{array} & 0.10 & 25.00 & \text { BET } \\ & & & 0.25 & 62.50 \\ \text { Feb-21-14 } & \text { Emails from and to R. Moore re: } & 0.25\end{array}$ questions.

| Feb-24-14 | Emails from and to B. Spaulding re: allocation of golf <br> course sales proceeds to fees and expenses prior to <br> allocation to affected participants' accounts. | 0.40 | 100.00 | BET |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Feb-24-14 | Telephone conference with R. Moore re  <br>   <br>  allocation of golf course proceeds. <br> Feb-25-14 Email from R. Moore re: response to | 0.20 | 50.00 | BET |
| Feb-26-14 | Email from A. Millward re: resolution of odd <br> transactions (RMD excesses, loan overpayments, <br> etc.). | 0.10 | 25.00 | BET |
|  | 0.10 | 25.00 | BET |  |
| TOTAL FEES: | 4.75 | $\$ 1,187.50$ |  |  |

## DISBURSEMENTS

Photocopies
TOTAL DISBURSEMENTS:

TOTAL FEES \& DISBURSEMENTS:
Previous Balance
Previous Payments
cc: Rob Moore via email

## SUMMARY TIME SHEET-ASSET RECOVERY

## SERVICES PROVIDED FOR RETIREMENT SECURITY PLAN \& TRUST

 FOR THE PERIOD 2/01/14 THROUGH 2/28/14Jeanne Barnes Bryant
FEBRUARY 2014 FEES
165.00
165.00

Receivership Management, Inc.
RMI EXPENSES - FEBRUARY 2014
12.10
12.10

Angstman Johnson
FEBRUARY 2014 FEES INV 43933 1,050.85 $1,050.85$
Berry \& Tudor PC
FEBRUARY 2014 FEE
INV $18992 \quad 287.50$
287.50

TOTAL FEES
1,515.45
Receivership Management, Inc.
P. O. Box 2307
Brentwood, TN 37024
Invoice for Professional Services

| RETIREMENT SECURITY PLAN \& TRUST - ASSET RECOVERY |  |  | February 2014 |  |  |
| :--- | :--- | :--- | :--- | :--- | :--- |
| $2 / 5 / 2014$ | Jeanne Barnes Bryant | REVIEW FILINGS |  |  |  |
| $2 / 11 / 2014$ | Jeanne Barnes Bryant | E-MAIL FROM COUNSEL RE LETTER TO LOMA | $\$ 150.00$ | $\$ 75.00$ |  |
| $2 / 21 / 2014$ | Jeanne Barnes Bryant | E-MALL FROM COUNSEL RE CREDIT SUISSE FILING, REVIEW SAME | 0.1 | $\$ 150.00$ | $\$ 15.00$ |
| Total |  |  |  | $\$ 150.00$ | $\$ 75.00$ |

ANGSTMAN JOHNSON 3649 N. Lakeharbor Lane Boise, ID 83703 (208) 384-8588 TAX ID 52-2300434


Receiver Management, Inc.
Jeanne Bryant
783 Old Hickory Blvd., Suite 255
Brentwood, TN 37027

Statement No. 43933
RSPt2

For Professional Services Rendered Through February 28, 2014 8571-007: RSPT v. Green Valley Holdings, LLC, Valley Co. Case CV-2013-203C



| 1/31/2014 | MTC | 0.8000 |
| :---: | :---: | :---: |
| 1/31/2014 | MTC |  |
| 2/3/2014 | JM |  |
| 2/4/2014 | TJ |  |
| 2/4/2014 | JM |  |
|  |  | 0.1000 |
| 2/5/2014 | TJ |  |
| 2/5/2014 | MTC |  |
| 2/5/2014 | M | 0.4000 |
|  |  | 0.4000 |
| 2/7/2014 | TJ | 2.0000 |
| 2/10/2014 | TJ | 2.5000 |
| 2/10/2014 | MTC |  |
| 2/10/2014 | MTC |  |
| 2/10/2014 | MTC | 0.4000 |
|  |  | 0.5000 |
| 2/11/2014 | TJ | 1.0000 |
| 2/11/2014 | MTC | 2.1000 |
|  |  | 0.4000 |
| 2/11/2014 | JM | 0.4000 |
| 2/12/2014 | TJ | 1.5000 |
| 2/18/2014 | MTC | 0.3000 |
| 2/24/2014 | MTC | 0.4000 |
| 2/24/2014 | MTC | 25000 |
| 2/25/2014 | MTC |  |
| 2/25/2014 | KG | 0.5000 |
|  |  | 0.3000 |
| 2/26/2014 | MTC | 1.0000 |
| 2/27/2014 | TJ | 1.8000 |


| $2 / 27 / 2014$ | MTC | 2.8000 |  |
| :--- | :--- | :--- | :--- |
| $2 / 27 / 2014$ | MTC | 6.0000 |  |
|  |  |  | 0.8000 |
| $2 / 27 / 2014$ | KG |  | 0.4000 |
|  |  |  | 0.3000 |
| $2 / 28 / 2014$ | MTC |  |  |
| $2 / 28 / 2014$ | MTC | Sub-total Professional Services | $\frac{0.6000}{0.00}$ |


| Expenses |  |  | Amount |
| :--- | :--- | :--- | ---: |
| $1 / 2 / 2014$ | FedEx | Delivery Charge AJA | 22.90 |
| $1 / 3 / 2014$ | The Star News | Publication AJA | 366.30 |
| $1 / 3 / 2014$ | Valley County | Recording Fee - AJA | 307.00 |
| $1 / 6 / 2014$ | Valley County | Clerk of the | Recording Fee - AJA |

Sub-total Expenses: $1,050.85$

## Payments

1/8/2014 Refund Check Recorder Valley County $\quad 7.00$
Sub-total Payments: $\quad 7.00$
Time Summary
TJ Angstman 19.6000
Matthew T. Christensen 37.4000

| Kevin Gilbert | 1.2000 |
| :--- | ---: |
| Jamie R. Miller | 2.2000 |
| Total hours: | 60.4000 |

## Statement Summary

| Current Expenses: | $1,050.85$ |
| ---: | ---: |
| Previous Balance Due: | $1,577.22$ |
| Payments Since Last Billing: | 7.00 |

PLEASE PAY THIS AMOUNT
2,621.07

# BERRY \& TUDOR, P.C. <br> A Professional Corporation <br> 5123 Virginia Way <br> Suite B-23 <br> Brentwood, Tennessee 37027-7598 

Telephone: (615) 726-1000
Fax: (615) 370-0077
FEIN: 62-1525112
Ms. Jeanne Barnes Bryant c/o Receivership Management, Inc.
783 Old Hickory Blvd., Suite 255
Brentwood, TN 37027
RE: Retirement Security Plan \& Trust - Asset Recovery

DATE
DESCRIPTION

Feb-24-14 Telephone conference with R. Moore re:

Feb-25-14 Email from R. Moore re:

Feb-26-14 Emails from and to R. Moore re:

Feb-27-14 Email from B. Spaulding re:

Feb-28-14 Telephone conference with R. Moore rs

TOTAL FEES:

DISBURSEMENTS

TOTAL DISBURSEMENTS:

TOTAL FEES \& DISBURSEMENTS:
Previous Balance
$\$ 0.00$
$\$ 287.50$
\$2,172.50

PAYMENT DUE WITHIN 30 DAYS OF STATEMENT. THANK YOU. PLEASE MAKE CHECKS PAYABLE TO BERRY \& TUDOR, P.C.
cc: Rob Moore via email

