## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

R. ALEXANDER ACOSTA,	)
Secretary of Labor,	)
United States Department of Labor,	)
Plaintiff,	) CIVIL ACTION NO. ) 1:17-cv-07931-JHL-SMF
AEU BENEFITS, LLC,	)
AEU HOLDINGS, LLC,	)
BLACK WOLF CONSULTING, INC.,	)
SD TRUST ADVISORS, LLC,	)
and the AEU HOLDINGS, LLC	)
EMPLOYEE BENEFIT PLAN,	)
Defendants.	)

## **NOTICE OF MOTION**

To: All Counsel on the attached Certificate of Service

PLEASE TAKE NOTICE that on Wednesday, December 20, 2017, at 9:30 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Joan H. Leftkow, or any judge sitting in her stead, in Courtroom 2201 in the United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, and then and there present Independent Fiduciary's Motion 1) To Terminate All AEU Plans And Participating Plans Except As To Those Plans Related To The AEUB-2 Segregated Account/Focus Health Solutions And 2) For AEU To Show Cause Why Funds Held In The AEUB-2 Segregated Account Are Not Plan Assets Covered By The Preliminary Injunction, a copy of which is hereby served upon you.

Respectfully submitted,

RECEIVERSHIP MANAGEMENT, INC., as INDEPENDENT FIDUCIARY

s/ Alan F. Curley	

Alan F. Curley ROBINSON CURLEY P.C. 300 South Wacker Drive Suite 1700 Chicago, Illinois 60606 (312) 663-3100 acurley@robinsoncurley.com

J. Graham Matherne (pro hac vice pending) Andrew J. Pulliam (pro hac vice pending) WYATT, TARRANT & COMBS, LLP 333 Commerce Street, Suite 1400 Nashville, Tennessee 37201 (615) 244-0020 gmatherne@wyattfirm.com apulliam@wyattfirm.com

Counsel to the Independent Fiduciary

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served upon the following, via the Court's Electronic Case Filing System upon:

Bruce C. Canetti, Esq. Brooke Eileen Worden, Esq. Martha Plante Frydl, Esq. Ruben Richard Chapa, Esq. U.S. Department of Labor Office of the Solicitor 230 S. Dearborn St., Rm 844 Chicago, IL 60604

(312) 353-3271 Email: canetti.bruce@dol.gov Email: worden.brooke.e@dol.gov

Email: FRYDL.MARTHA@DOL.GOV

Email: chapa.ruben@dol.gov

Erica McKinney, Esq. Daly Temchine, Esq. Epstein Becker & Green 227 W. Monroe Suite 3250 Chicago, IL 60606 (312) 499-1401

Email: emckinney@ebglaw.com Email: dtemchine@ebglaw.com

Joshua Thomas Buchman, Esq. John Christian Nemeth, Esq. Sean Michael Koller, Esq. McDermott Will & Emery LLP 444 West Lake Street Suite 4000 Chicago, IL 60606-0029 (312) 372-2000

Email: jbuchman@mwe.com Email: icnemeth@mwe.com Email: sekoller@mwe.com

Andrea Verney, Esq. Terrence Patrick Canade, Esq. Locke Lord Llp 111 S. Wacker Drive Chicago, IL 60606 (312) 443-0406

Email: Averney@lockelord.com Email: tcanade@lockelord.com

## and via e-mail transmission to:

Jason M. Rosenthal, Esq. Honigman, Miller, Schwartz & Cohn 155 N. Wacker Drive 31st Floor Chicago, IL 60606 (312) 701-9349 Email: jrosenthal@honigman.com

This the 15th day of December, 2017.

David Cowart, Esq. Dentons US LLP 2000 McKinney Avenue **Suite 1900** Dallas, TX 75201-1858 (214) 259-0906

Email: David.cowart@dentons.com

s/ Alan F. Curley

Alan F. Curley