

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JULIA A. SUE, ACTING SECRETARY OF)	
U.S. DEPARTMENT OF LABOR,)	
)	
Plaintiff,)	CASE NO. 2:24-CV-00104 (MJH)
)	
v.)	
)	
RIVERSEDGE ADVANCED RETIREMENT)	
SOLUTIONS, LLC a Pennsylvania Company,)	
PAUL PALGUTA, an individual,)	
)	
v.)	
)	
MID ATLANTIC TRUST COMPANY dba)	
AMERICAN TRUST CUSTODY, a)	
corporation, and CHARLES SCHWAB)	
TRUST BANK, a corporation, <i>solely as Rule 19</i>)	
<i>defendants</i>)	
Defendants.)	

INDEPENDENT FIDUCIARY’S FIFTH NOTICE OF FEE FILING

Receivership Management, Inc. (“RMI”), in its capacity as court-appointed Independent Fiduciary (“Independent Fiduciary”) to the “Mismanaged Plans” and the “Client Plans” as outlined in its Preliminary Injunction entered in this case on February 20, 2024, by its counsel, and pursuant to paragraph 6 of the Court’s Preliminary Injunction (ECF No. 40) hereby submits its Fifth Notice of Fee Filing and states as follows:

This filing constitutes RMI’s fee filing for the period from June 1, 2024 through June 30, 2024. Pursuant to the Court’s Preliminary Injunction, RMI is authorized to seek payment from the funds tendered to the Court to pay itself and its service providers reasonable and necessary fees and expenses from the Fund. Before making any such payment, RMI must file with the Court, with a copy to the Secretary of Labor, the RiversEdge Defendants, the Rule 19(a) Defendants and all Plans, a fee notice, which shall include a detailed invoice itemizing the

compensation, fees and expense to be paid. RMI shall not be required to file, service, or otherwise deliver the Fee Notice to any person or persons other than the Court, the Secretary, the RiversEdge Defendants, the Rule 19(a) Defendants and all Plans. If within fifteen (15) days after filing of a Fee Notice, no objection to the Fee Notice is made or payment by the Court of the compensation, fees, or expenses described therein is filed with this Court, such compensation, fees, and expenses shall be shall be paid by the Court from amounts submitted to the Court pursuant to paragraph 5 of the Preliminary Injunction (ECF No. 40). Itemized statements of work and applicable hourly rates for RMI and its service providers are attached as Exhibit 1 hereto and are summarized below. Fees and expenses for the period of June 1, 2024 to June 30, 2024 are as follows:

A. Receivership Management Inc.	\$ 5,580.51
\$ 5,537.04 / Contract Labor	
\$ 43.47 / Other Expenses	
B. Berry & Tudor PC-Legal	\$ 3,434.00
Total:	\$ 9,014.51

Respectfully submitted,

**RECEIVERSHIP MANAGEMENT, INC., AS
COURT-APPOINTED INDEPENDENT
FIDUCIARY OF MISMANAGED PLANS AND
CLIENT PLANS OF RIVERSEDGE
ADVANCED RETIREMENT SOLUTIONS
LLC,**

/s/ Bynum E. Tudor III

Bynum Tudor III (TN Bar 012279)

Admitted Pro Hac Vice

Berry & Tudor PC

5123 Virginia Way

Suite B-23

Brentwood, Tennessee 37027

(615) 726-1000

(615) 370-0077 (fax)

Counsel for Receivership Management, Inc.

SUMMARY TIME SHEET- RMI
SERVICES PROVIDED FOR RIVERSEDGE
FOR THE PERIOD 6/1/24 THRU 6/30/24

Receivership Management Inc.		
JUNE 2024 FEES	<u>5,537.04</u>	5,537.04
Berry & Tudor, PC - Legal		
JUNE 2024 FEES	<u>3,434.00</u>	3,434.00
TOTAL FEES DUE:	\$	8,971.04
TOTAL EXPENSES DUE:	\$	<u>43.47</u>
GRAND TOTAL DUE:	\$	<u><u>9,014.51</u></u>

Receivership Management, Inc.
 510 Hospital Drive, Suite 490
 Madison, TN 37115

Invoice for Professional Services

RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC

June 2024

6/3/2024	J. David Bennett	REVIEW LEAD SCHEDULE OF PARTICIPANT ACCOUNT DATA SETS FROM LBMC- CPAS AND EMAIL DRAFT RE: QUESTIONS ON DATA THEREIN. READ EMAIL FROM BYM RE QUESTION ON LAST REQUEST.	0.7	\$156.00	\$109.20
6/3/2024	Lauren B. Garcia	POST FEE AND EXPENSE ACCRUAL, EMAIL FROM J CHONG RE LAPTOP	0.2	\$104.40	\$20.88
6/4/2024	J. David Bennett	DRAFT RESPONSE TO BYM FOR SRT QUESTION FROM S. REISS. RESEARCH INTO OPEN AREAS ON PSEUDO ACCOUNTS TO LOCATE REQUESTED INFORMATION. DRAFTED SEVERAL QUESTIONS ON THE SRT REPORTS TO MID-ATLANTIC FOR SRT TO ANSWER AS MID-ATLANTIC DID NOT PREPARE SAID REPORTS	2.2	\$156.00	\$343.20
6/4/2024	Lauren B. Garcia	PROCESS EMPLOYER REQUEST FOR PLAN DOCUMENTS	0.3	\$104.40	\$31.32
6/4/2024	Robert E. Moore, Jr.	EMAILS WITH B.TUDOR RE: ADDITIONAL REQUESTS TO SRT RE: "FAKE PARTICIPANT" NEGATIVE ACCOUNTS .25; CALL WITH D. BENNETT RE: SAME .3; CALL WITH B.TUDOR RE: SRT MATTERS .10; CALL WITH D. BENNETT RE: DRAFT REPORT AND ADDITIONAL INFORMATION RECOMMENDED .5; FOLLOW UP CALL WITH B.TUDOR ON OPEN ITEMS .4	1.55	\$204.00	\$316.20
6/5/2024	Lauren B. Garcia	PROCESS EMPLOYER REQUEST FOR PLAN DOCUMENTS, EXTRACT PLAN FILES FROM EGNYTE AND SAVE TO SERVER	2.8	\$104.40	\$292.32
6/5/2024	Robert E. Moore, Jr.	EMAIL TO M.JACKSON RE: OESTERLINGS SANDBLASTING TRANSFER .2; UPDATE EMAIL FROM AND TO K.STUDIOSO RE: OESTERLINGS ACCOUNT .2; CONFIRMATION EMAIL TO DEANNA BERNAL RE: PLAN TRANSFER NOTIFICATIONS .2	0.6	\$204.00	\$122.40
6/7/2024	Lauren B. Garcia	TRACK EMPLOYEE LETTERS, UPDATE RECORDS	0.1	\$104.40	\$10.44

Wednesday, July 24, 2024

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RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC			June 2024		
6/7/2024	Robert E. Moore, Jr.	CALL WITH D. BENNETT RE: SOCS AUDIT DIFFERENCES, IMPORTANCE OF UNDERSTANDING SRT OPERATIONS .25	0.25	\$204.00	\$51.00
6/8/2024	J. David Bennett	RESEARCH ON REQUESTS AND RESPONSES FROM SRT RE SOC REPORTS AND SPECIFICALLY SOC TYPE II REPORTS. AFTER COMPLETING RESEARCH DRAFTED A SUMMARY MEMO TO RMOORE OF MY FINDINGS	1.6	\$156.00	\$249.60
6/10/2024	J. David Bennett	CALL FROM RMOORE RE: LBMC TESTING BY RECONCILIATION TO SOURCES OTHER THAN INFORMATION THEY RECEIVED DIRECTLY FROM SRT. ADDITIONALLY, WE DISCUSSED REPORTS THAT ADDRESS SERVICE ORGANIZATION CONTROLS RECEIVED AND READ AN EMAIL FROM RMOORE ADDRESSING THE EXPECTED DO THE SRT CONTROLS ALLOW PALGUTA TO HIDE OR OTHERWISE MANIPULATE THE DATA IN THE PLAN RECORDS AT SRT IN SUCH A WAY AS TO BLOCK ALL DATA POINTS FROM BEING VIEWED BY PLAN SPONSORS, ADMINISTRATORS, AND ADVISORS? WRITE-UP OF INFORMATION FROM RMOORE	1.4	\$156.00	\$218.40
6/10/2024	Lauren B. Garcia	DOWNLOAD CERTIFIED MAIL SIGNATURES AND SAVE TO FILE, UPDATE TRACKER	0.1	\$104.40	\$10.44
6/10/2024	Robert E. Moore, Jr.	REVIEW AND RESPOND TO EMAIL FROM D. BENNETT RE: SRT REQUESTS .2; CALL WITH D. BENNETT RE: SAME .2	0.4	\$204.00	\$81.60
6/11/2024	J. David Bennett	CALL FROM RMOORE RE: ADDRESS SERVICE ORGANIZATION CONTROLS ABOUT QUESTIONS AND CONCERNS RELATED TO ABSENCE OF ACCURACY CONTROLS AS A PART OF THE INFORMATION PROCESSING OF INFORMATION WITHIN THE SRT ADMINISTRATION OF DATA SETS INPUT BY RIVERSEDGE. RESEARCHED CONTROL ELEMENTS FOR RESPONSE.	0.8	\$156.00	\$124.80
6/11/2024	Lauren B. Garcia	CALL FROM EMPLOYER, REVIEW TRACKING AND UPDATE EMPLOYER LETTER RECORDS	0.9	\$104.40	\$93.96
6/11/2024	Robert E. Moore, Jr.	MESSAGE FROM R. JAUREQUI RE: STATUS OF DOL CASE UPDATE .10; EMAIL TO A.LUBY RE: EMPLOYEE LAP TOP STATUS UPDATE .10; CALL WITH D. BENNETT RE: USE OF SRT BY RIVERSEDGE, UPDATE ON WORKXPRESS ACCESS .4; CALL WITH R. JAUREQUI .10;	0.7	\$204.00	\$142.80

Wednesday, July 24, 2024

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RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC				June 2024	
6/12/2024	J. David Bennett	RESEARCH RELATED TO CONCERNS AND POSSIBLE IMPACT ON NOT HAVING ANY PROCESSING CONTROLS RELATED TO DATA ACCURACY FOR DATA POINTS WITH THE DATA SETS PROCESSED/ HELD BY SRT. SENT EMAIL RELATED THERETO.	2.2	\$156.00	\$343.20
6/12/2024	Lauren B. Garcia	DOWNLOAD FILINGS AND POST TO WEBSITE	0.4	\$104.40	\$41.76
6/13/2024	Lauren B. Garcia	DRAFT FEE FILING AND EXHIBITS, POST FEE AND EXPENSE ACCRUAL, POST REPORTS TO WEBSITE, CALL FROM EMPLOYER, EMAIL TO K STUDIO	0.9	\$104.40	\$93.96
6/13/2024	Robert E. Moore, Jr.	EMAIL TO B.TUDOR RE: 4TH FEE FILING .3; DRAFT FOLLOW UP QUESTIONS TO SRT REPRESENTATIVES RE: PSEUDO ACCOUNTS, ADDITIONAL REPORTS REQUESTED 1.0; FOLLOW UP CALL WITH R. JURENCK .10; CALL FROM D. BENNETT RE: COMMENTS ON REQUEST .10	1.5	\$204.00	\$306.00
6/14/2024	Lauren B. Garcia	CALL FROM EMPLOYER, EMAIL TRAFFIC	0.2	\$104.40	\$20.88
6/14/2024	Robert E. Moore, Jr.	UPDATE ON REQUEST FROM B.TUDOR .2; CALL WITH B.TUDOR RE: QUESTIONS ON SRT INFORMATION SUFFICIENT TO ANSWER QUESTIONS .2	0.4	\$204.00	\$81.60
6/17/2024	J. David Bennett	SPOKE WITH ROB ABOUT SRT/ DOL CALL TOMORROW AREAS TO BE COVERED AND RELATED CONCERNS. REVIEWED WORKPAPERS AND EMAIL TO PULL OUT WHAT RMI REQUESTED AND WHY (HOW THE REQUESTED INFORMATION THAT WOULD HELP RMI UNDERSTAND THE INFORMATION PROCESSING STEPS AND SPECIFIC PROTECTION DESIGNED IN THERE SRT INPUT TO DETECT INPUT ERRORS/ MISTAKES FROM RIVERSEDGE FROM BEING MISTAKENLY ENTERED INTO THE SYSTEM (EXAMPLE ONLY 7 DIGITS IN AN SSN OR NON-PARTICIPANT ACCOUNTS WITH A NEGATIVE BALANCE OTHER THAN ADMINISTRATE ACCOUNT FOR ITEMS SUCH AS FORFEITED ACCOUNTS) AND RESPONSES FROM SRT OR LACK THEREOF	1.1	\$156.00	\$171.60
6/17/2024	Lauren B. Garcia	POST REPORTS TO WEBSITE	0.1	\$104.40	\$10.44
6/17/2024	Robert E. Moore, Jr.	RESPOND TO EMAIL FROM DOL COUNSEL J.STRAWN RE: PSEUDO ACCOUNTS .10; CALL WITH D. BENNETT RE: SAME .5	0.6	\$204.00	\$122.40
6/18/2024	J. David Bennett	CALL AND RELATED TEXTS WITH RMOORE ON WORK YESTERDAY	0.3	\$156.00	\$46.80

Wednesday, July 24, 2024

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RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC			June 2024		
6/18/2024	Lauren B. Garcia	EMAILS FROM B TUDOR, POST 3 ORDERS TO WEBSITE, PREPARE POST AND POST TRANSACTION, TRIP TO BANK TO MAKE DEPOSIT (SPLIT)	0.8	\$104.40	\$83.52
6/18/2024	Robert E. Moore, Jr.	DRAFT 4TH ACTIVITY REPORT AND FORWARD TO COUNSEL FOR FILING .7; CALL FROM D. BENNETT RE: ADDITIONAL INFORMATION ON SOCS AUDITS .2	0.9	\$204.00	\$183.60
6/20/2024	Lauren B. Garcia	UPDATE ACTIVITY REPORT, UPDATE LAPTOP TRACKER, ISSUE CHECK PAYMENTS	0.9	\$104.40	\$93.96
6/20/2024	Robert E. Moore, Jr.	REVIEW AND RESPOND TO REVISIONS TO REPORT REQUESTED BY COUNSEL .2	0.2	\$204.00	\$40.80
6/21/2024	Lauren B. Garcia	CALL FROM EMPLOYER, POST TRANSFER AND ISSUE PAYMENTS, TRIP TO USPS	2.7	\$104.40	\$281.88
6/21/2024	Robert E. Moore, Jr.	FORWARD WORKXPRESS EMAILS TO COUNSEL .2; CALL WITH B.TUDOR RE: SAME .2; CALL WITH D. BENNETT RE: ANTICIPATED CALL WITH SRT .10; CONFERENCE CALL WITH SRT .6	1.1	\$204.00	\$224.40
6/24/2024	Lauren B. Garcia	EMAIL FROM B TUDOR RE CONTACT FOR WORK XPRESS, EMAIL FROM LBMC CHECKING STATUS OF PYMT	0.2	\$104.40	\$20.88
6/24/2024	Robert E. Moore, Jr.	UPDATE FROM COUNSEL RE: DOL SUBPOENA .10; CALL WITH D. BENNETT RE: CONFIRMATION OF SRT MATTERS .10; CALL WITH L.GARCIA RE: DECONVERSIONS REMAINING .10	0.3	\$204.00	\$61.20
6/25/2024	Robert E. Moore, Jr.	EMAIL TO COUNSEL RE: MATC SOC AUDIT .2; CALL FROM T.AMATO (FORMER LANDLORD) RE: MAIL NOT BEING PICKED UP BY RIVERSEDGE/P.PALGUTA, .25; ADVISED COUNSEL TO CONTACT COUNSEL FOR RIVERSEDGE/P.PALGUTA REGARDING UNCOLLECTED MAIL .10; EMAIL TO RIVERSEDGE FORMER LANDLORD WITH CONTACT INFORMATION FOR COUNSEL TO FORWARD MAIL BEING RECEIVED .2	0.75	\$204.00	\$153.00
6/27/2024	Robert E. Moore, Jr.	A SERIES OF EMAILS FROM COUNSEL RE: WORKXPRESS, ADDITIONAL BACKGROUND INFORMATION ON SRT .3; EMAIL TO COUNSEL RE: FOLLOW UP ON SRT AND THE PSEUDO ACCOUNTS .25; CALL FROM D. BENNETT RE: RECEIPT OF INFORMATION BUT UNABLE TO READ .10	0.65	\$204.00	\$132.60
6/28/2024	J. David Bennett	EMAIL WITH ROB & BYM. DOWNLOADED RESPONSES ROB RECEIVED FROM SRT RE: UNANSWERED QUESTIONS	1.1	\$156.00	\$171.60

Wednesday, July 24, 2024

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RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC				June 2024	
6/28/2024	Robert E. Moore, Jr.	RECEIPT OF SRT RESPONSE TO INFORMATION REQUEST, REPORTS RECEIVED, WRITTEN QUESTIONS NOT RESPONDED TO DIRECTLY, FORWARD REPORTS TO D. BENNETT FOR DISCUSSION AT JULY 1 MEETING, DETERMINED UNABLE TO OPEN REPORTS, EMAIL TO SRT COUNSEL RE: SAME 1.1; CALL WITH B.TUDOR RE: SAME .5	1.6	\$204.00	\$326.40
6/29/2024	J. David Bennett	ADDITIONAL QUESTIONS & COMMENTS VIA EMAIL WITH ROB & BYM	0.3	\$156.00	\$46.80
6/30/2024	J. David Bennett	ANALYSIS OF RESPONSES TO THE 9 PDF FILES FROM OLDFIELD STARTED. COMPOSED AND SENT ROB AN EMAIL WITH QUESTIONS RELATED TO THE WORK HE REQUESTED BASED ON MY INITIAL WORK. DRAFTED A FILE DESCRIPTION FOR THE WORKPAPERS E-FILE TO PROVIDE CONTEXT TO THE FILES CONTAINED IN THE SUB-FOLDER STRUCTURE.	1.4	\$156.00	\$218.40
6/30/2024	Robert E. Moore, Jr.	REVIEW AND RESPOND TO D. BENNETT EMAIL .2	0.2	\$204.00	\$40.80
Total					\$5,537.04

Wednesday, July 24, 2024

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BERRY & TUDOR, P.C.

A Professional Corporation

5123 Virginia Way
 Suite B-23
 Brentwood, Tennessee 37027-7598

Telephone: (615) 726-1000

Fax: (615) 370-0077

FEIN: 62-1525112

Mr. Rob Moore
 c/o Receivership Management, Inc.
 510 Hospital Drive, Suite 490
 Madison, TN 37115-5049

July 2, 2024

Client #: 1068

RE: RiversEdge Advanced Retirement Solutions, LLC

Invoice #: 22523

DATE	DESCRIPTION	HOURS	AMOUNT	
June-3-24	Emails from S. Reiss and to R. Moore re: SSNs attributable to negative balance pseudo accounts.	0.10	34.00	BET
June-4-24	Emails from D. Bennett re: pseudo accounts; emails to and from and telephone conference with R. Moore re: same.	0.70	238.00	BET
June-10-24	Emails from and to S. Reiss re: fake participant-level accounts.	0.10	34.00	BET
June-11-24	Email from L. Garcia; review spreadsheet re; status of laptops; emails from R. Moore and A. Luby re: same.	0.20	68.00	BET
June-13-24	Emails from and to L. Garcia re; motion on IF's Third Fee Report, payments on IF's First and Second Fee Reports and copies of IF's First and Second Activity Reports; email from R. Moore re: RMI's request to SRT for more information on how pseudo accounts were created.	0.50	170.00	BET
June 14-24	Telephone conference with R. Moore re: request for SRT information and status of IF's accounting report; email to R. Moore re: same; prepare 3 rd Motion for Fee Payment, proposed order and certificate of service; file same with court; emails to R. Moore and non-party plans re: same; emails from W. Guappone re: IF's accounting report status;	2.20	748.00	BET

Invoice 22523

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July 2, 2024

	telephone conference and emails to J. Strawn re: request for SRT information and SRT's counsel's response; telephone conference with R. Moore re: same.			
June-17-24	Emails from M. Schmidt and to R. Moore re: possible objection to IF's 4 th Fee Report; email from L. Garcia re: website posting; emails from and to J. Strawn and R. Moore re: availability for Morgan & Lewis call; email from A. Luby re: status of June activity report.	0.50	170.00	BET
June-18-24	Emails from ECF ajnd to R. Moore re: order granting payment per IF's 3 rd Fee Report; review same; emails from and to L. Garcia re: website posting; email from S. Reiss re: call on SRT information request.	0.40	136.00	BET
June-19-24	Email to R. Moore re: status of draft IF's 4 th Activity Report.	0.10	34.00	BET
June-20-24	Emails from and to R. Moore and L. Garcia; review drafts of IF's 4 th Activity Report; file same with Court; email to R. Moore re: same, as filed; emails to and from A. Luby re: WorkXpress subpoena; emails from and to L. Garcia re: IF's 4 th Fee Report and website posting.	1.10	374.00	BET
June-21-24	Review documents received from MATC and SRT as to negative balance accounts, in preparation for call with SRT and DOL; emails from and to A. Luby and R. Moore re: WorkXpress subpoena; attend Teams call with Morgan, Lewis, DOL, and R. Moore; telephone conference with R. Moore re: same.	1.60	544.00	BET
June-21-24	Emails from ECF and to R. Moore re: RiversEdge Defendants' joint motion for extension of time to answer amended complaint; review same and proposed order.	0.25	85.00	BET
June-24-24	Emails from and to A. Luby and R. Moore re: WorkXpress contact information; review WorkXpress website re: same; email from D. Oldfield re: SRT's responses; email to R. Moore re: comments on same; emails from J. Strawn and to R. Moore re: DOL's request for copy of MATC's SOC	0.90	306.00	BET

Invoice 22523

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July 2, 2024

audit report.

June-25-24	Emails to and from R. Moore, W. Delany and U. Rengachary re: DOL's request for copy of MATC's SOC audit report; emails from ECF and to R. Moore re: order granting time to answer amended complaint and re; approval of IF's 3 rd Fee Motion; telephone conferences with R. Moore re: landlorrd's accumulation of RiversEdge's mail; email to D. Misour re: same.	0.90	306.00	BET
June-27-24	Emails from A. Luby and T. LaPlante re: DOL access to WorkXpress; emails to and from R. Moore re: same; emails from D. Oldfield and to R. Moore re: SRT's reports on pseudo accounts.	0.25	85.00	BET
June-29-24	Emails from and to R. Moore and D. Bennett re: SRT issues.	0.30	102.00	BET

TOTAL FEES:		10.10	\$3,434.00	
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TOTAL DISBURSEMENTS:			\$0.00	
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TOTAL FEES & DISBURSEMENTS:			\$3,434.00	
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Previous Balance			\$37,885.12	
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Previous Payments			(\$22,612.00)	
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PLEASE PAY:			\$18,707.12	
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**PAYMENT DUE WITHIN 30 DAYS OF STATEMENT. THANK YOU.
PLEASE MAKE CHECKS PAYABLE TO BERRY & TUDOR, P.C.**

cc: Rob Moore via email

RMI EXP RECOVERABLE REDGE - Jun 2024

6/1/2024 through 6/30/2024

7/24/2024

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Category	6/1/2024- 6/30/2024	OVERALL TOTAL
5100 FEES RMI		
5300-RECEIVERS FEES	-2,386.80	-2,386.80
5610-CONTRACT LABOR RMI	-3,150.24	-3,150.24
TOTAL 5100 FEES RMI	-5,537.04	-5,537.04
5150 FEES LEGAL		
5400-LEGAL FEES	-3,434.00	-3,434.00
TOTAL 5150 FEES LEGAL	-3,434.00	-3,434.00
5300 EXPENSE		
6205-COPIES	-3.40	-3.40
6210-POSTAGE	-3.84	-3.84
6215-COURIER & OVERNIGHT	-36.23	-36.23
TOTAL 5300 EXPENSE	-43.47	-43.47
OVERALL TOTAL	-9,014.51	-9,014.51

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JULIA A. SU, ACTING SECRETARY OF U.S. DEPARTMENT OF LABOR,)	
)	
Plaintiff,)	CASE NO. 2:24-CV-00104 (MJH)
)	
v.)	
)	
RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS, LLC a Pennsylvania Company, PAUL PALGUTA, an individual,)	
)	
v.)	
)	
MID ATLANTIC TRUST COMPANY dba AMERICAN TRUST CUSTODY, a corporation, and CHARLES SCHWAB TRUST BANK, a corporation, <i>solely as Rule 19</i> <i>defendants</i>)	
)	
Defendants.)	

**CERTIFICATE OF SERVICE REGARDING
INDEPENDENT FIDUCIARY’S FIFTH NOTICE OF FEE FILING**

I hereby certify that on August 22, 2024, I caused the Independent Fiduciary’s Fifth Notice of Fee Filing [Dkt. 110], with Exhibits [Dkt. 110-1], to be filed and electronically served using the Court’s CM/ECF system to counsel for all parties to this action.

I also hereby certify that on August 22, 2024, I caused the Independent Fiduciary’s Fourth Notice of Fee Filing [Dkt. 110], with Exhibits [Dkt. 110-1], to be served upon the following fourteen (14) non-party plans listed in the Court’s Preliminary Injunction Order [Dkt. 40], by email:

- (1) RiversEdge 401(k) Profit Sharing Plan (pshoup@amibenefit.com);
- (2) Hampton Technical Associates 401(k) Profit Sharing Plan (MarkS@Hampton-Tech.net);
- (3) Max Environmental Technologies, Inc. 401(k) Savings Plan (JStango@MaxEnvironmental.com);
- (4) Medical Predictive Science Corporation (GAlms@HeroScore.com);
- (5) Elite Mechanical, Inc. 401(k) Profit Sharing Plan (donna@elite-mechanical.com);
- (6) Leech Tishman Fuscaldo & Lampl, LLC 401(k) Profit Sharing Plan (jsteiner@leechtishman.com);

- (7) W.N. Tuscano Agency, Inc. 401(k) Savings Plan (scrary@tuscano.com);
- (8) St. Barnabas Health System Retirement Savings Plan (jdturco@stbarnabashealthsystem.com);
- (9) Hawaiian Island Dental, Inc. 401(k) Plan (allhawaiiismiles@hotmail.com);
- (10) Ad-base Group 401K Plan (adams@abgcapital.com);
- (11) Arc of Wabash County Inc. 403(b) Plan (MGuthrie@ArcWabash.org);
- (12) Adventure WV Plan (m.fowler@onthegorge.com);
- (13) The National Fruit Product Co., Inc. 401(k) Employee Savings Plan (atinsman@nfpc.com) and (agum@nfpc.com) and (tomwillis@glenlochlegal.com); and
- (14) Family Medicine of Albemarle 401(k) Plan (rwynne@mcguirewoods.com) and (lsneathern@mcguirewoods.com).

Further, on or before August 23, 2024, the Independent Fiduciary posted/will post a copy of the Independent Fiduciary's Fifth Notice of Fee Filing [Dkt. 110], with Exhibits [Dkt. 110-1] on its web site at www.receivermgmt.com/riversedge.

Respectfully submitted,

**RECEIVERSHIP MANAGEMENT, INC., AS
COURT-APPOINTED INDEPENDENT
FIDUCIARY OF MISMANAGED PLANS AND
CLIENT PLANS OF RIVERSEDGE
ADVANCED RETIREMENT SOLUTIONS
LLC,**

/s/ Bynum E. Tudor III

Bynum Tudor III (TN Bar 012279)

Admitted Pro Hac Vice

Berry & Tudor PC

5123 Virginia Way

Suite B-23

Brentwood, Tennessee 37027

(615) 726-1000

(615) 370-0077 (fax)

Counsel for Receivership Management, Inc.