

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

<b>JULIA A. SU, ACTING SECRETARY OF U.S. DEPARTMENT OF LABOR,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	<b>CASE NO. 2:24-CV-00104 (MJH)</b>
	)	
<b>v.</b>	)	
	)	
<b>RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS, LLC a Pennsylvania Company, PAUL PALGUTA, an individual,</b>	)	
	)	
	)	
<b>v.</b>	)	
	)	
<b>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></b>	)	
	)	
<b>Defendants.</b>	)	

**INDEPENDENT FIDUCIARY’S FOURTH 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 [Dkt. 40] hereby submits its Fourth Notice of Fee Filing and states as follows:

This filing constitutes RMI’s fee filing for the period from May 1, 2024 through May 31, 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 [Dkt. 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 May 1, 2024 to May 31, 2024 are as follows:

A. Receivership Management Inc.	\$ 9,182.69
\$ 8,870.52 / Contract Labor	
\$ 312.17 / Other Expenses	
B. Berry & Tudor PC-Legal	\$ 7,638.82
C. Strassburger McKenna, Gutnick & Gefsky-Legal	\$ 71.20
Total:	\$ 16,892.71

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 5/1/24 THRU 5/31/24

Receivership Management Inc.		
MAY 2024 FEES	8,870.52	
		8,870.52
Strassburger McKenna Gutnick & Gefsky		
MAY 2024 FEES	71.20	
		71.20
Berry & Tudor, PC - Legal		
MAY 2024 FEES	7,638.82	
		7,638.82
<b>TOTAL FEES DUE:</b>	<b>\$</b>	<b>16,580.54</b>
<b>TOTAL EXPENSES DUE:</b>	<b>\$</b>	<b>312.17</b>
<b>GRAND TOTAL DUE:</b>	<b>\$</b>	<b>16,892.71</b>

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

Invoice for Professional Services

**RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC**

**May 2024**

5/1/2024	Lauren B. Garcia	DRAFT EMPLOYEE LAPTOP LTR, VERIFY ADDRESSES, EMAIL TO R.MOORE	0.7	\$104.40	\$73.08
5/1/2024	Robert E. Moore, Jr.	EMAIL WITH B.TUDOR RE: NON-ERISA SPONSOR CLAIMS .2; EMAIL TO D.KREISER RE: POLICY CLAIM ON RIVERSEDGE POLICY .2; NUMEROUS EMAILS RE: LAP TOPS .2; RESPOND TO QUESTIONS FROM COUNSEL .2	0.8	\$204.00	\$163.20
5/2/2024	Lauren B. Garcia	POST TO WEBSITE, EDIT EMPLOYEE LTR, PREPARE CERTIFIED MAILING, PROCESS PLAN RECORDS REQUEST FROM EMPLOYER, CALL RE DOL REQUEST, DROP CERTIFIED LETTERS TO POST OFFICE	3	\$104.40	\$313.20
5/2/2024	Robert E. Moore, Jr.	EMAIL TO L.GARCIA RE: QUESTIONS ON PRELIMINARY INJUNCTION .2; APPROVE DRAFT LETTER TO RIVERSEDGE EMPLOYEES .2; RESPOND TO ADDITIONAL QUESTIONS ABOUT FORMER EMPLOYEE LAP TOPS .2	0.6	\$204.00	\$122.40
5/3/2024	Robert E. Moore, Jr.	EMAIL TO J.STRAWN RE: PALGUTA AND RIVERSEDGE ACCOUNTS .2; RESPOND TO QUESTIONS FROM B.TUDOR RE: EMAIL CORRESPONDENCE FROM GROUPS .10	0.3	\$204.00	\$61.20
5/6/2024	Lauren B. Garcia	EMAIL FROM R.MOORE RE SR TRACKER, CHECK VM AND EMAIL TO RMI, EMAILS FROM SINOR RE POSTCARD MAILING	0.5	\$104.40	\$52.20
5/6/2024	Robert E. Moore, Jr.	CALL WITH M.COLETTI RE: MID ATLANTIC REPORT AND PSEUDO ACCOUNTS .8; FOLLOW UP WITH B.TUDOR .6; CALL WITH D.BENNETT RE: UPDATE FROM M.COLETTI .10; CALL WITH EMPLOYER, UPDATE L.GARCIA RE: SAME .10; REVIEW UPDATE REPORT ON SRT GROUP DECONVERSIONS .2; EMAIL TO D.BENNETT RE: RIVERSEDGE COMPUTERS .2	2	\$204.00	\$408.00

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**RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC****May 2024**

5/7/2024	J. David Bennett	DESIGN AN LISTING OF INFORMATION RELATED TO SRT REFUSAL TO PROVIDE INTERNAL CONTROL ENVIRONMENT ACCESS. INFO INCLUDES ADMISSION/ REQUEST FOR DOCUMENTS/ INTERROGATORIES	2.1	\$156.00	\$327.60
5/7/2024	Lauren B. Garcia	CALL FROM MEMBER RE TRX FUNDS, EMAILS IN RESPONSE TO EMPLOYEE LAPTOP LTRS	0.4	\$104.40	\$41.76
5/7/2024	Robert E. Moore, Jr.	CALL WITH D.BENNETT RE: REPORT DRAFT REVIEW .8	0.8	\$204.00	\$163.20
5/8/2024	Lauren B. Garcia	POST FEE AND EXPENSE ACCRUAL	0.1	\$104.40	\$10.44
5/8/2024	Robert E. Moore, Jr.	EMAILS TO WILL SON AND LBMC TEAM RE: REQUEST FOR PAYMENTS FROM WORKXPRESS .2; EMAILS RE: CONTINUED EFFORTS TO RECOVER EMPLOYEE RIVERSEDGE LAPTOPS .25	0.45	\$204.00	\$91.80
5/9/2024	Robert E. Moore, Jr.	UPDATE ON NUMEROUS MATTERS INVOLVING LAP TOPS, DATA REQUESTS FROM SRT, IMPORTANCE OF SAME TO DRAFT REPORT .5; UPDATE FROM WILL SON AT LBMC RE: WORKXPRESS COST TO RESTORE AND FROM-END INTERFACE USE, FORWARD UPDATE .25	0.75	\$204.00	\$153.00
5/10/2024	Lauren B. Garcia	INTEROFFICE EMAILS, POST FEE AND EXP ACCRUAL	0.2	\$104.40	\$20.88
5/10/2024	Robert E. Moore, Jr.	EMAIL UPDATE ON ELEMENTS OF REPORT AND DATA QUESTIONS, AUDIT QUESTIONS TO B.TUDOR .3; UPDATE FROM EMPLOYEE T. VELTO RE: LAPTOP .10; ADDITIONAL DOCUMENT REQUESTS TO SRT AND EMAILS ON SAME TO B.TUDOR .2	0.6	\$204.00	\$122.40
5/13/2024	Lauren B. Garcia	EMAIL FROM R.MOORE REQUESTING CONTACT INFO FOR EMPLOYEES, REVIEW AND RESEARCH, REVIEW ACTIVITY REPORT AND DISCUSS WITH R. MOORE, EMAILS TO B TUDOR, SEND W-9 CLERK CERTIFIED MAIL, POST FEE AND EXPENSE ACCRUAL	3	\$104.40	\$313.20
5/13/2024	Robert E. Moore, Jr.	REPORT FROM SRT RE: LEFT OVER DECONVERSION GROUPS, NON-RESPONSIVE .25; DRAFT ACTIVITY REPORT .2; CONTINUED EMAILS RE: UNAVAILABILITY OF WORKXPRESS .2; CALL WITH D.BENNETT RE: PROGRESS UPDATE .2	0.85	\$204.00	\$173.40
5/14/2024	Lauren B. Garcia	POST TO WEBSITE	0.2	\$104.40	\$20.88
5/14/2024	Lauren B. Garcia	EMAILS WITH B GEORGE	0.2	\$104.40	\$20.88

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<b>RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC</b>				<b>May 2024</b>		
5/14/2024	Robert E. Moore, Jr.	REVIEW LETTER FROM OESTERLINGS .10; FINALIZE ACTIVITY REPORT RE: QUESTIONS FROM B.TUDOR .25; PLAN SPONSOR INFORMATION REQUEST .2	0.55	\$204.00	\$112.20	
5/15/2024	Lauren B. Garcia	DOWNLOAD AND EXTRACT PLAN RECORDS FROM EGNYTE, EMAILS, CALLS RE TRANSITION	2.9	\$104.40	\$302.76	
5/15/2024	Robert E. Moore, Jr.	EMAILS ON LAP TOP COMPUTERS WITH B.TUDOR .10; CALL WITH B.TUDOR RE: ACCOUNTING MATTERS 1.0	1.1	\$204.00	\$224.40	
5/16/2024	Lauren B. Garcia	RECEIPT OF 3 EMPLOYEE LAPTOPS, VERIFY PASSWORDS, CALL EMPLOYEE TO REQUEST PW INFO, EMAIL TO B. TUDOR, EMAIL TO B. GEORGE, PREPARE 3RD FEE FILING DRAFT AND EXHIBITS, EMAIL RE 2ND MOTION TO DISPERSE FUNDS, EMAIL TO B. GEORGE, POST FEE & EXP ACCRUALS, EMAIL	3.9	\$104.40	\$407.16	
5/16/2024	Robert E. Moore, Jr.	UPDATE ON SOC AUDITS FROM MATC AND SRT .10; EMAIL TO B.TUDOR RE: CUSTOMER LISTS CONCERNS .2; EMAIL TO D.KREISER DECLINING REQUEST FOR RMI COPY OF SOC AUDITS, ADVISED TO ASK FOR THEM DIRECTLY FROM MATC AND SRT .10; UPDATE CALL WITH D.BENNETT .10	0.5	\$204.00	\$102.00	
5/17/2024	J. David Bennett	BUILD-OUT FOR REPORT	1.6	\$156.00	\$249.60	
5/17/2024	Lauren B. Garcia	VOICEMAIL FROM EMPLOYER RE LAPTOP, EXTRACT PLAN DOCUMENTS AND SAVE TO RMI SERVER, EMAIL FROM K STUDIO SO	1	\$104.40	\$104.40	
5/17/2024	Robert E. Moore, Jr.	EMAIL FROM J.STRAWN RE: BANK RECORDS INFORMATION .2	0.2	\$204.00	\$40.80	
5/18/2024	Lauren B. Garcia	POST TO WEBSITE, INTEROFFICE EMAILS, , PROCESS EMPLOYER REQUEST FOR PLAN RECORDS, TRIP TO UPS	4.2	\$104.40	\$438.48	
5/20/2024	Robert E. Moore, Jr.	ACTIVITY UPDATE FROM THE COURT, FORWARD TO L.GARCIA AND J.LAWSON .10; QUESTIONS FROM B.TUDOR RE: ACCOUNTING REPORT .10; REVIEW AND RESPOND TO EMAIL FROM DAYNA BONNO RE: LAPTOP .2; CALL WITH L.GARCIA RE: WORKXPRESS AND EGNYTE .10	0.5	\$204.00	\$102.00	
5/21/2024	Lauren B. Garcia	PROCESS REQUEST FROM EMPLOYER FOR PLAN RECORDS, TRACK CERTIFIED LETTERS WITH USPS, UPDATE SPREADSHEET, EMAILS	4	\$104.40	\$417.60	
5/21/2024	Robert E. Moore, Jr.	EMAILS TO DOL COUNSEL RE: COSTS FOR WORKXPRESS AND STATUS OF THAT INFORMATION .2;	0.2	\$204.00	\$40.80	

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<b>RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC</b>					<b>May 2024</b>	
5/22/2024	J. David Bennett	REVIE OF DRAFT AND PROVIDED WRITTEN NOTES	1.8	\$156.00	\$280.80	
5/22/2024	Lauren B. Garcia	VERIFY LAPTOP CREDENTIALS, UPDATE TRACKER, EMAIL TO B TUDOR, EXTRACT PLAN FOLDERS FROM EGNYTE AND DOWNLOAD TO RMI SERVER	2	\$104.40	\$208.80	
5/22/2024	Robert E. Moore, Jr.	REVIEW AND EDIT FIRST DRAFT OF ACCOUNTING REPORT TO THE COURT, ADDITIONAL INFORMATION STILL NEEDED 2.0; CALL WITH B.TUDOR RE: OUTSTANDING INFORMATION AND RESPONSES BEING RECEIVED .9; CALLS WITH D.BENNETT RE: ACCOUNTING REPORT 1.05	3.95	\$204.00	\$805.80	
5/23/2024	Lauren B. Garcia	DOWNLOAD EGNYTE PLAN RECORDS TO RMI SERVER	0.4	\$104.40	\$41.76	
5/23/2024	Robert E. Moore, Jr.	CALL WITH D.BENNETT RE: ADDITIONAL QUESTIONS ON MID-ATLANTIC'S REVIEW OF PSEUDO ACCOUNTS .7; CALL WITH J.STRAWN AND DOL REPRESENTATIVES RE: STATUS OF ACCOUNTING REVIEW .3	1	\$204.00	\$204.00	
5/24/2024	J. David Bennett	REPORT REVISIONS AT OFFICE WITH ROB	3.8	\$156.00	\$592.80	
5/24/2024	Lauren B. Garcia	UPDATE WEBSITE W FEE FILING, PROCESS EMPLOYER PLAN RECORDS REQUEST, REVIEW RECORDS, EMAILS TO B GEORGE RE TRANSITIONED PLANS	1.3	\$104.40	\$135.72	
5/24/2024	Robert E. Moore, Jr.	EMAIL ON FIRST DRAFT TO D.BENNETT AS REVISED .25; EMAIL TO B.TUDOR RE: NEGATIVE PARTICIPANT ACCOUNT BALANCES FOR FUNDS UNDER RIVERSEDGE CONTROL .25; EMAIL TO K.STUDIOSO RE: SRT PSEUDO ACCOUNTS .2; FOLLOW UP EMAILS WITH D.BENNETT AND B.TUDOR ON SRT PSEUDO ACCOUNTS .25	0.95	\$204.00	\$193.80	
5/28/2024	Lauren B. Garcia	EMAIL TO B TUDOR, REVIEW PACER, DOWNLOAD PLAN RECORDS FROM EGNYTE AND SAVE TO RMI SERVER, RECEIPT OF 2 LAPTOPS, UPDATE SPREADSHEET AND EMAIL TO B TUDOR, CALL FROM GROUP, PROCESS MAIL, EMAIL TO K STUDIO SO RE GROUP DOC REQUEST	2.5	\$104.40	\$261.00	
5/29/2024	J. David Bennett	MEETING WITH ROB ON REPORT CHANGES RE: COLETTI EMAIL AND OTHER QUESTIONS 1.5HR	1.5	\$156.00	\$234.00	
5/29/2024	Lauren B. Garcia	EMAIL FROM K STUDIO SO, EMAIL FROM J .STEINER RE RECORDS REQUEST, EMAIL FROM B TUDOR, EMAIL FROM R MOORE RE EMPLOYEE LAPTOP RESPONSE, UPDATE TRACKER AND EMAIL B TUDOR	0.5	\$104.40	\$52.20	

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<b>RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS LLC</b>					<b>May 2024</b>	
5/29/2024	Robert E. Moore, Jr.	EMAIL TO L.GARCIA AND B.TUDOR RE: OUTSTANDING LAPTOPS AND STATUS OF THOSE IN OUR POSSESSION .2; CALL WITH D.BENNETT RE: UPDATE ON INFORMATION REQUESTS .10; MEETING WITH D.BENNETT RE: REPORT, REPORT METHODS, INFORMATION CONCERNS 1.8	2.1	\$204.00	\$428.40	
5/30/2024	Robert E. Moore, Jr.	EMAIL TO L.GARCIA RE: LAPTOP SUBPOENAS .2; CONTINUED EMAILS WITH COUNSEL RE: INFORMATION CONCERNING PSEUDO ACCOUNTS .25; EMAIL ON MEILING ZHANG LAPTOP, FORWARD TO L.GARCIA .10	0.55	\$204.00	\$112.20	
5/31/2024	Lauren B. Garcia	CALL TO UPS, EMAIL FROM M CHONG, PREPARE UPS LABEL AND EMAIL TO M CHONG, EMAIL FROM FORMER EMPLOYEE	0.8	\$104.40	\$83.52	
5/31/2024	Robert E. Moore, Jr.	RESPOND TO QUESTIONS FROM COUNSEL ON SRT RESPONSE ON PSEUDO ACCOUNTS ISSUES, FINAL RECEIPT OF SOC AUDIT .2	0.2	\$204.00	\$40.80	
<b>Total</b>					<b>\$8,870.52</b>	

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ATTORNEYS AT LAW SINCE 1919

Receivership Management, Inc.  
 Robert Moore  
 540 Hospital Dr.  
 Ste 490  
 Madison, TN 37115-5049

Matter ID: 19197-00001  
 Bill No: 134356  
 Billed Through: 5/31/2024  
 Bill Date: 6/11/2024

**Matter Name: Su v. RiversEdge et al. - Local Counsel**

PAYMENT HISTORY

Outstanding Accounts Receivable as of 05/09/2024	\$1,789.50
Payments received through 06/11/2024	0.00
<b>PREVIOUS BALANCE</b>	<b>\$1,789.50</b>

RETAINER INFORMATION

Retainer as of 6/11/2024	\$0.00
Retainer Received/Applied Through 06/11/2024	\$0.00
<b>RETAINER BALANCE</b>	<b>\$0.00</b>

EXPENSES

Date		Quantity	Rate	Total
05/07/2024	PACER - Court Electronic Records 1/1/24 - 3/31/24	1.00	35.60	35.60
05/07/2024	PACER - Court Electronic Records 1/1/24 - 3/31/24	1.00	35.60	35.60
<b>Expense Total</b>				<b>\$71.20</b>

Accounts Receivable Information	
0 - 30 Days	\$487.50
31 - 60 Days	\$40.50
61 - 90 Days	\$1,261.50
91 - 120 Days	\$0.00
Over 121 Days	\$0.00
Accrued Interest Included Above:	\$0.00

CURRENT FEES:	\$0.00
CURRENT EXPENSES:	\$71.20
<b>CURRENT AMOUNT DUE:</b>	<b>\$71.20</b>
PREVIOUS BALANCE:	\$1,789.50
RETAINER APPLICATION:	\$0.00
RETAINER REPLENISHMENT:	\$0.00
<b>TOTAL AMOUNT DUE:</b>	<b>\$1,860.70</b>

**Please remit with payment**

Receivership Management, Inc.  
 Robert Moore  
 540 Hospital Dr.  
 Ste 490  
 Madison, TN 37115-5049

**Matter ID: 19197-00001**

Statement Date: 6/11/2024	<b>Amount Due Now</b> <b>\$1,860.70</b>
Statement No: 134356	
Billed Through: 5/31/2024	

***Payment due upon receipt***

**Matter Name: Su v. RiversEdge et al. - Local Counsel**

Strassburger McKenna Gutnick & Gefsky  
 Four Gateway Center, 22nd Floor  
 444 Liberty Avenue  
 Pittsburgh, PA 15222

(412) 281-5423

Payment Type  Online at <https://secure.lawpay.com/pages/smglaw/operating>  
 Check/Money Order  
 Credit Card\*  
 (complete form below)

**Amount Enclosed: \$ \_\_\_\_\_**

**Please let us know if your contact information has changed.**

New Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 New Phone \_\_\_\_\_  
 New Email \_\_\_\_\_

\* Visa  MasterCard  Discover  American Express

Card Number \_\_\_\_\_  
 Expiration Date \_\_\_\_\_  
 Security Code \_\_\_\_\_  
 Card Holder Name \_\_\_\_\_  
 Signature \_\_\_\_\_



**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

June 3, 2024

Client #: 1068

RE: RiversEdge Advanced Retirement Solutions, LLC

**CORRECTED** Invoice #: 22498

DATE	DESCRIPTION	HOURS	AMOUNT	
May-1-24	Emails from and to R. Moore and D. Kreiser re: LCBC's notices of claims against RiversEdge's insurance policies; emails from M. Comber and to R. Moore re: Palguta and RiversEdge bank and investment accounts; emails from and to J. Strawn and R. Moore re: status of letters to remote RiversEdge employees about laptop retrieval.	0.60	204.00	BET
May-2-24	Emails from L. Garcia and R. Moore re: mailing of letters to 12 former remote employees.	0.10	34.00	BET
May-3-24	Emails from B. George and to and from R. Moore re: status of plan deconversions.	0.10	34.00	BET
May-6-24	Email to R. Moore re: Activity Report due 5/11/24; email from J. Strawn re: status of MATC report review; telephone conference with R. Moore re: non-deconverted plans; emails from ECF and to R. Moore re: non-ERISA plans' stipulation to stay answers; review stipulation, as filed; emails from and to R. Moore re: laptops; review files re: prior emails on same; email to R. Moore re: motion for fees.	0.70	238.00	BET
May-7-24	Email to R. Moore re: WorkXpress access update request; emails from ECF and to R. Moore re: signed Stipulation; emails from and to D. Bennett re: SRT's SOC audits; emails to and from S. Reiss re: same; telephone conference with C. Burch (ARC of	2.40	816.00	BET

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	Wabash Co.) re: Fee Reports; email to R. Moore re: same.			
May-8-24	Emails from and to R. Moore re: motion for fees; telephone conferences with Courtroom Deputy re: same; review Local Rule 67; emails from and to D. Misour and R. Moore re: WorkXpress access issues; email from L. Garcia re: laptop access.	1.00	340.00	BET
May-9-24	Emails from R. Moore re: extra WorkXpress costs and responses from remote former employees re: laptops.	0.10	34.00	BET
May-10-24	Emails from and to L. Garcia re: laptop access credential request; email to D. Misour re: same; emails from and to Courtroom Deputy re: fee motion; emails from R. Moore re: remote employee's response and sample laptop demand letter template.	0.50	170.00	BET
May-13-24	Emails from R. Moore and to A. Luby re: data retention after deconversion; telephone conference with J. Strawn re: same; emails from and to R. Moore re: 12 plans yet to complete deconversion; review and comment on same; emails to and from L. Garcia and J. Lawson re: sending IRS Form W-9 to Court; emails from and to R. Moore and L. Garcia re: draft IF's 3 <sup>rd</sup> Activity Report; review and comment on same; emails from R. Moore and L. Garcia re: LBMC fees billed to date; prepare motion for disbursement of fees and expenses and proposed order; emails to and from R. Moore re: same.	2.10	714.00	BET
May-14-24	Prepare certificate of service; file fee motion, proposed order and certificate of service via ECF; emails to R. Moore and to non-party mismanaged plans re: same; emails from Courtroom Deputy re: certificate of service.	0.60	204.00	BET

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May 14-24	Emails from and to J. Tomevi (LCBC) re: employers' responsibility to file insurance claims; emails from D. Misour and to R. Moore re: laptop passwords; emails from B. George and L. Garcia re: deconversions; email from ECF re: appearance of counsel for Beaver County; email from L. Garcia re: remote employee's response (Bonno); emails from and to R. Moore re: draft IF's 3 <sup>rd</sup> Activity Report; review and comment on same; email from R. Moore re: Oesterling's Sandblasting's deconversion; review employer's letter re: same.	0.80	272.00	BET
May-15-24	Emails from and to L. Garcia and B. George re: crime policy/ERISA bond; email to R. Moore re: appearance of counsel for Beaver County; telephone conference with R. Moore re: draft third activity report and employers' recent inquiries; emails from and to A. Luby re: status of laptop requests; emails from L. Garcia re: Tyrone Hospital employee's inquiry and re: another employer's deconversion inquiry; finalize and file IF's 3 <sup>rd</sup> Activity Report; email to R. Moore re: same.	1.50	510.00	BET
May-15-24	Email from ECF re: approval of IF's first fee motion; telephone conference with and emails to R. Moore re: same and re: status of laptops; prepare 2 <sup>nd</sup> motion for fees (March 2024), proposed order and certificate of service; emails from and to A. Luby re: draft WorkXpress subpoena; review and comment on same.	1.20	408.00	BET
May-16-24	Emails from and to A. Luby re: laptop subpoenas; emails from and to L. Garcia re: IF's 2 <sup>nd</sup> Fee Motion and RiversEdge client list; review and comment on client list; emails to and from D. Bennett and R. Moore re: same; emails from and to R. Moore re: draft 3 <sup>rd</sup> Fee Report; review and finalize same; email to A. Luby re: same.	1.80	612.00	BET
May-17-24	Emails from and to P. Atkinson (Albemarle) re: email service upon attorneys; revise draft certificate of service for IF's 3 <sup>rd</sup> Fee Report.	0.40	136.00	BET
May-20-24	Emails from ECF and to and from R. Moore re: amended order (IF's First Fee Report); email from R. Moore re: status of accounting report review; emails	0.75	255.00	BET

Invoice 22498

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	from and to R. Moore re: motion on Second Fee Report and DOL's review of Third Fee Report; finalize and file IF's Second Motion for Fees, proposed order and certificate of service; email to 14 non-party plans re: same; emails to and from R. Moore and L. Garcia re: W9 issues.			
May-21-24	Emails to and from J. Strawn re: status update request on IF's accounting report; emails from A. Luby and R. Moore re: WorkXpress subpoena; email from J. Strawn re: approval of IF's 3 <sup>rd</sup> Fee Report.	0.20	68.00	BET
May-22-24	Email from R. Moore re: initial review of draft IF's accounting report; telephone conference with R. Moore re: same; emails from L. Garcia re: laptop issues; email to R. Moore re: IF's 3 <sup>rd</sup> Fee Report.	1.00	340.00	BET
May-22-24	Review draft IF's accounting report in depth; revise and comment on same; email to R. Moore and D. Bennett re: same; email to M. Comber re: laptop credentials (D. Beer).	2.60	884.00	BET
May-23-24	Telephone conferences with R. Moore and Teams call with DOL re: status of draft IF's accounting report.	0.90	306.00	BET
May-24-24	Finalize IF's 3 <sup>rd</sup> Notice of Fee Filing; file with Court via ECF; serve same upon 14 non-party plans via email; email to R. Moore re: same; email from R. Moore re: this week's deconversion report from SRT and request for information on negative account balances; email from L. Garcia confirming posting of 3 <sup>rd</sup> Fee Report on web page.	0.70	238.00	BET
May-24-24	Telephone conference with R. Moore re: MATC report's discussion of fake participant accounts and MATC's refusal to share its workpapers re: same; email to W. Delany re: same; emails from K. Studioso and to and from R. Moore re: SRT's summary of "purged" accounts.	0.70	238.00	BET
May-28-24	Telephone conference with R. Moore re: response to Studioso email; email to S. Reiss re: same; emails from and to L. Garcia and Courtroom Deputy re: payment on 1 <sup>st</sup> Fee Filing; email from L. Garcia re: laptop status.	0.80	272.00	BET

Invoice 22498

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June 3, 2024

May-29-24	Email from Courtroom deputy re: timing of disbursement; emails to and from L. Garcia re: same; emails from ECF and to R. Moore re: motion for payment (2 <sup>nd</sup> Fee Report) granted; emails from D. Misour and to L. Garcia re: laptop credentials; emails from and to R. Moore re: objection period for 3 <sup>rd</sup> Fee Report.	0.30	102.00	BET
May-30-24	Emails from and to R. Moore re: requests for more information on participant-level negative balance accounts; emails from and to A. Luby re: same.	0.20	68.00	BET
May-31-24	Emails from and to R. Moore re: request for more pseudo-account information from SRT; email to S. Reiss re: same.	0.40	136.00	BET
<b>TOTAL FEES:</b>		22.45	\$7,633.00	

## DISBURSEMENTS

Photocopies (8 @ \$.08)	0.64
Postage	5.18

<b>TOTAL DISBURSEMENTS:</b>	\$5.82
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<b>TOTAL FEES &amp; DISBURSEMENTS:</b>	\$7,638.82
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Previous Balance	\$30,246.30
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Previous Payments	\$0.00
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<b>PLEASE PAY:</b>	<b>\$37,885.12</b>
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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 - May 2024

5/1/2024 through 5/31/2024

6/13/2024

Page 1

Category	5/1/2024- 5/31/2024	OVERALL TOTAL
<b>5100 FEES RMI</b>		
5300-RECEIVERS FEES	-3,865.80	-3,865.80
5610-CONTRACT LABOR RMI	-5,004.72	-5,004.72
<b>TOTAL 5100 FEES RMI</b>	<b>-8,870.52</b>	<b>-8,870.52</b>
<b>5150 FEES LEGAL</b>		
5400-LEGAL FEES	-7,710.02	-7,710.02
<b>TOTAL 5150 FEES LEGAL</b>	<b>-7,710.02</b>	<b>-7,710.02</b>
<b>5300 EXPENSE</b>		
6205-COPIES	-2.50	-2.50
6210-POSTAGE	-104.68	-104.68
6215-COURIER & OVERNIGHT	-204.99	-204.99
<b>TOTAL 5300 EXPENSE</b>	<b>-312.17</b>	<b>-312.17</b>
<b>OVERALL TOTAL</b>	<b>-16,892.71</b>	<b>-16,892.71</b>

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

<b>JULIA A. SU, ACTING SECRETARY OF U.S. DEPARTMENT OF LABOR,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	<b>CASE NO. 2:24-CV-00104 (MJH)</b>
	)	
<b>v.</b>	)	
	)	
<b>RIVERSEDGE ADVANCED RETIREMENT SOLUTIONS, LLC a Pennsylvania Company, PAUL PALGUTA, an individual,</b>	)	
	)	
	)	
<b>v.</b>	)	
	)	
<b>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></b>	)	
	)	
<b>Defendants.</b>	)	

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

I hereby certify that on July 1, 2024, I caused the Independent Fiduciary’s Fourth Notice of Fee Filing [Dkt. 92], with Exhibits [Dkt. 92-1], 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 July 1, 2024, I caused the Independent Fiduciary’s Fourth Notice of Fee Filing [Dkt. 92], with Exhibits [Dkt. 92-1], 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](mailto:pshoup@amibenefit.com));
- (2) Hampton Technical Associates 401(k) Profit Sharing Plan ([MarkS@Hampton-Tech.net](mailto:MarkS@Hampton-Tech.net));
- (3) Max Environmental Technologies, Inc. 401(k) Savings Plan ([JStango@MaxEnvironmental.com](mailto:JStango@MaxEnvironmental.com));
- (4) Medical Predictive Science Corporation ([GAlms@HeroScore.com](mailto:GAlms@HeroScore.com));
- (5) Elite Mechanical, Inc. 401(k) Profit Sharing Plan ([donna@elite-mechanical.com](mailto:donna@elite-mechanical.com));
- (6) Leech Tishman Fuscaldo & Lampl, LLC 401(k) Profit Sharing Plan ([jsteiner@leechtishman.com](mailto:jsteiner@leechtishman.com));

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

Further, on or before July 2, 2024, the Independent Fiduciary posted/will post a copy of the Independent Fiduciary's Fourth Notice of Fee Filing [Dkt. 92], with Exhibits [Dkt. 92-1] on its web site at [www.receivermgmt.com/riversedge](http://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

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*Counsel for Receivership Management, Inc.*