

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

UNITED STATES SECURITIES and)	
EXCHANGE COMMISSION,)	No. 18 CV 5587
)	
Plaintiff,)	
)	
v.)	Magistrate Judge Young B. Kim
)	
EQUITYBUILD, INC., EQUITYBUILD)	
FINANCE, LLC, JEROME H. COHEN,)	
and SHAUN D. COHEN,)	
)	May 21, 2019
Defendants.)	

ORDER

Before the court are Receiver Kevin B. Duff’s third and fourth motions for court approval of the process for public sale of certain real estate by sealed bid. In the third motion, the Receiver seeks the court’s approval of the sealed-bid process for the public sale of the following properties in Chicago, Illinois:

1. 3030 East 79th Street;
2. 7301-09 South Stewart Avenue; and
3. 8047-55 South Manistee Avenue.

(R. 325, Receiver’s 3d Mot. at 3.) These properties are not encumbered by any debt.

In the fourth motion, the Receiver seeks the court’s approval of the proposed sale process for the public sale of the following properties in Chicago, Illinois:

1. 5955 South Sacramento Avenue;
2. 6001 South Sacramento Avenue;
3. 7237-43 South Bennett;
4. 7834-44 South Ellis Avenue; and
5. 7026 South Cornell Avenue.

(R. 327, Receiver's 4th Mot. at 4.) The Receiver explains that these properties are encumbered by "EBF-affiliate debt," meaning "debt associated with loans made by ordinary 'investor-lenders' who were defrauded by the *Ponzi* scheme" at issue in this lawsuit. (Id. at 1.) The investor-lenders' loans were secured by mortgages recorded by Defendant EquityBuild Finance, LLC against the five properties identified in the fourth motion. (Id. at 1, 4.) No objections to these two motions have been filed.

Nonetheless, to expedite the sale of the identified properties, the Receiver agrees that any objections raised in response to its second motion for court approval, (see R. 228, Receiver's 2d Mot.; R. 232, Liberty's Obj.; R. 235, U.S. Bank/Freddie Mac's Ltd. Obj.; R. 240, BC57's Obj.), which were overruled by the court in its May 2, 2019 order, (R. 352), shall be deemed raised and preserved, and the Receiver's responses to such objections shall be deemed raised and preserved, (R. 361, Receiver's Am. to 3d, 4th, & 5th Mots.). The Receiver also has agreed that the sales process proposed in the third and fourth motions will conform to the requirements set forth in the court's May 2, 2019 order. (Id.)

Subject to the Receiver's amendment, the court grants the third and fourth motions for court approval of the process for public sale of certain properties by sealed bid. To be clear, the same conditions imposed by the court in its May 2, 2019 order apply to the sales process proposed in the Receiver's third and fourth motions.

ENTER:



Young B. Kim
United States Magistrate Judge