

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

<b>UNITED STATES SECURITIES AND EXCHANGE COMMISSION,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 18-cv-5587</b>
	)	
<b>v.</b>	)	<b>Hon. Manish S. Shah</b>
	)	
<b>EQUITYBUILD, INC., EQUITYBUILD FINANCE, LLC, JEROME H. COHEN, and SHAUN D. COHEN,</b>	)	<b>Mag. Judge Young B. Kim</b>
	)	
<b>Defendants.</b>	)	
	)	

**NOTICE OF FILING OF POSITION STATEMENT**

Kevin B. Duff, as receiver (“Receiver”) for the Estate of Defendants EquityBuild, Inc. (“EquityBuild”), EquityBuild Finance, LLC (“EquityBuild Finance”), their affiliates, and the affiliate entities of Defendants Jerome Cohen and Shaun Cohen (collectively, the “Receivership Defendants”), hereby provides this Notice of Filing of Position Statement submitted to the Receiver by Group 7 claimants pursuant to the Order Regarding Summary Proceedings for Group 6. (Dkt. 1637)

- Position Statement of Michael James Guilford and Nancy Richard-Guilford, attached to this Notice as Exhibit 1.

Additionally, SEC and the following Group 6 Claimants filed Position Statements via the Court’s ECF system:

Dkt. No. 1754	U.S. Securities and Exchange Commission
Dkt. No. 1755	Certain Individual Investors

Dkt. No. 1756      UBS AG

Dkt. No. 1757      Midland Loan Services

The Receiver will serve a copy of this Notice upon all claimants in Group 6, and will also provide access to all of the foregoing Position Statements to the claimants in Group 6 through a Dropbox link.

If any claimant submitted (or attempted to submit) a Position Statement to [equitybuildclaims@rdaplawn.net](mailto:equitybuildclaims@rdaplawn.net) and it is not included in this Notice, please promptly notify the Receiver by forwarding a copy of your original timely email and all attachments to [equitybuildclaims@rdaplawn.net](mailto:equitybuildclaims@rdaplawn.net).

Dated: October 2, 2024

Kevin B. Duff, Receiver

By: /s/ Michael Rachlis  
Michael Rachlis  
Jodi Rosen Wine  
Rachlis Duff & Peel LLC  
542 South Dearborn Street, Suite 900  
Chicago, IL 60605  
Phone (312) 733-3950  
[mrachlis@rdaplawn.net](mailto:mrachlis@rdaplawn.net)  
[jwine@rdaplawn.net](mailto:jwine@rdaplawn.net)

**CERTIFICATE OF SERVICE**

I hereby certify that on October 2, 2024, I electronically filed the foregoing Notice of Filing with the Clerk of the United States District Court for the Northern District of Illinois, using the CM/ECF system. A copy of the foregoing was served upon counsel of record via the CM/ECF system.

I further certify that I caused true and correct copy of the foregoing Notice, to be served upon all claimants included on the Email Service List for Group 6 by electronic mail and by a Dropbox link.

I further certify that the Notice will be posted to the Receivership webpage at:  
<http://rdaplawnet.com/receivership-for-equitybuild>

/s/ Michael Rachlis  
Rachlis Duff & Peel, LLC  
542 South Dearborn Street, Suite 900  
Chicago, IL 60605  
Phone (312) 733-3950  
Fax (312) 733-3952  
mrachlis@rdaplawnet

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UNITED STATES SECURITIES	)	
AND EXCHANGE COMMISSION,	)	
	)	
Plaintiff,	)	Civil Action No. 18-cv-5587
	)	
v.	)	Hon. Manish S. Shah
	)	
EQUITYBUILD, INC., EQUITYBUILD	)	Mag. Judge Young B. Kim
FINANCE, LLC, JEROME H. COHEN,	)	
and SHAUN D. COHEN,	)	
	)	
Defendants.	)	

**POSITION STATEMENT**

Claimant Name: \_\_\_\_\_

The Property or Properties:

- |                                                                    |                                                                        |
|--------------------------------------------------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> #50 - 7760 S Coles Avenue                 | <input type="checkbox"/> #108 - 2800-06 E 81st Street                  |
| <input type="checkbox"/> #51 - 1401 W 109th Place                  | <input type="checkbox"/> #109 - 4750-52 S Indiana Avenue               |
| <input type="checkbox"/> #53 - 6807 S Indiana Avenue               | <input type="checkbox"/> #110 - 5618-20 S Martin Luther King Drive     |
| <input checked="" type="checkbox"/> #54 - 8000-02 S Justine Street | <input type="checkbox"/> #111 - 6558 S Vernon Avenue                   |
| <input type="checkbox"/> #55 - 8107-09 S Ellis Avenue              | <input type="checkbox"/> #112 - 7450 S Luella Avenue/2220 East 75th St |
| <input type="checkbox"/> #56 - 8209 S Ellis Avenue                 | <input type="checkbox"/> #113 - 7840-42 S Yates Avenue                 |
| <input type="checkbox"/> #57 - 8214-16 S Ingleside Avenue          |                                                                        |

**Description of Facts and Evidence Supporting Claim:**

As shown in previously submitted documents, our \$110,000.00 investment in 8000-02 S Justine Street was wired to Primary Title Services Escrow in Wire Account, First Midwest Bank, 8383 W. Belmont, River Grove, Illinois, 60171, routing number 071901604, account number <sup>REDACTED</sup> 7623 in two separate wires; one for \$90,000.00 on 05/13/2015, and one for \$20,000.00 on 05/15/2015. These funds were paid to EquityBuild in exchange for a first lien Mortgage and Promissory Note.

All relevant Mortgages, Exhibits to Mortgages, Notes, and Collateral Agency and Servicing Agreements have been previously submitted.



**Legal Authority and Argument:**

No principal was ever repaid. Neither we, nor the other Original Investor-Lenders, have ever released our First Position Liens on the above-mentioned properties, and are thus entitled to all funds recovered by the receiver, to the exclusion of those who invested at a later time. We are owed the full \$110,000.00 original investment plus interest accrued to date.

Dated \_\_\_\_\_

/s/ Michael James Guilford  
(Signature)

Michael James Guilford  
Printed Name(s) of Claimant(s)

/s/ Nancy Richard-Guilford  
(Signature)

Nancy Richard-Guilford  
Printed Name(s) of Claimant(s)