

related to a loan secured by former property 4511 N Merrimac (claim 130-244). The POC further indicated a rollover of \$102,976 of claimant's 4511 N Merrimac loan to the loan secured by 6250 Mozart, but this was identified on the POC only by the loan number and not the property address.

4. As a result, claim 69-244 in the amount of \$102,976.00 was inadvertently not included in the Receiver's distribution plan for Property 69. Had the claim been included, the Receiver would have recommended disallowing \$33,812.99 accrued interest added to the principal amount of the loan, and setting-off \$29,855.52 post-rollover interest paid on the 6250 Mozart loan, for a maximum potential distribution on claim 69-244 of \$39,307.49.

5. The investor lenders asserting claims against Property 69 recovered 0.473952521 of their maximum recommended distributions, and the distributions pursuant to the Court's Order (Dkt. 1907) have been made.¹ Accordingly, the Receiver recommends that Acklen recover at the same rate for her claim 69-244, resulting in a distribution in the amount of \$18,629.88.

6. Although the proposed distribution plan for Property 69 was intended to distribute 100% of the funds in the property account (*see* Dkt. 1895, Ex. A), interest has accrued on the balance in that account in the months since the May 20-21, 2025 settlement conference with Judge Kim at which the proposed plan was agreed upon. As a result, there is currently \$12,212.05 available in the Property 69 account which, pursuant to the Court's order will be transferred to the Receiver's account for use in the administration of the Receivership Estate and/or as otherwise ordered. (Dkt. 1907)

¹ This was reported as "approximately 47.4% in the Receiver's proposed distribution plan. (Dkt. 1895 at p. 5, ¶ 13(a)) Had claim 69-244 been included, the recovery for all investor lenders would have been approximately 45.8%.

7. The \$12,212.05 balance in the Property 69 account is \$6,417.83 short of the amount needed for the recommended \$18,629.88 distribution on claim 69-244, and therefore the Receiver requests approval to transfer this amount to the Property 69 account in order to effectuate the recommended distribution.

8. The SEC has informed the Receiver that it does not object to this motion or the relief requested.

Prayer for Relief

WHEREFORE, the Receiver seeks the following relief:

- a) approval to transfer \$6,417.83 from the Receiver's account to the account held for Property 69;
- b) approval to, then, distribute \$18,629.88 from the account held for Property 69 to claimant La Donna Wright Acklen for claim 69-244; and
- c) such other relief as the Court deems fair and equitable.

Dated: September 5, 2025

Respectfully submitted,
Kevin B. Duff, Receiver

By: /s/ Michael Rachlis
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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, I electronically filed the foregoing **Notice of Motion** and **Motion to Approve Additional Group 7 Distribution and Transfer of Funds from Receiver's Account** with the Clerk of the United States District Court for the Northern District of Illinois, using the CM/ECF system.

I further certify that I caused a true and correct copy of the foregoing to be served upon La Donna Wright Acklen by electronic mail.

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

/s/ Michael Rachlis _____

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