UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
SOUTHERN DIVISION

In re SANCTUARY BELIZE LITIGATION	No: 18-cv-3309-PX

MOTION FOR APPROVAL OF REDRESS DISTRIBUTION AND RELATED RELIEF

The receiver in the above-captioned matter, Marc-Philip Ferzan of Ankura Consulting Group, LLC ("Receiver"), hereby brings his Motion for Approval of Redress Distribution and Related Relief ("Motion").

While the Receivership Team has returned more than $32 million to consumer victims, the Receivership Team is continuing to work diligently to wind down the estate and bring this long pending litigation matter to its end, which requires completion of a number of remaining tasks. In tandem with continuing to expeditiously undertake these required tasks in an effort to bring the receivership to its conclusion, the Receiver is hereby seeking an order granting the following relief:

1. Authorizing the Receiver to make a $5,891,913.46 distribution, subject to adjustment as set forth in the Memorandum of Points and Authorities filed herewith, on a pro rata basis to Consumers[1] of Sanctuary Belize lots with Claim Applications deemed eligible in accordance with the notifications provided by the Receiver on or about February 9, 2023 ("Eligible Claim Notifications"). The calculation for pro rata distribution payments shall be based on the Amount Paid set forth in the Eligible Claim Notification for each Sanctuary Belize

[1] Capitalized terms in this Motion shall have the meaning ascribed to them in the Redress Plan (Doc. 1117-1) unless otherwise defined herein.

lot divided by the aggregate Amounts Paid set forth in all Eligible Claim Notifications associated with Sanctuary Belize lots. All redress distributions must be accepted and deposited by Eligible Consumers within 60 days from the date of issue barring extenuating circumstances; otherwise such payments shall revert to the receivership estate.

2. Authorizing the receivership estate to reserve approximately $600,000, in addition to the approximately $637,832 of remaining Individual Lot Purchase Proceeds received under the Lot Choice Survey Program that are required to be held by the receivership estate pending title transfers pursuant to the December 2023 Order (Doc. 1499), in order to fund the estimated obligations and expenses associated with completing remaining receivership activities and winding-down the estate (for avoidance of doubt, payment of professional fees and costs shall remain subject to the same Court approval requirements). The Receiver is not proposing to reserve funds for any pre-receivership non-consumer creditor or tax claims, for the reasons set forth in the Memorandum of Points and Authorities filed herewith.

3. To ensure the estate is not left with an inadequate reserve and to facilitate making the additional distribution in the amount proposed herein, the Motion additionally requests that, upon entry of the proposed order:

- All determinations relating to the following be deemed final: (i) the administration of the consumer claims process and the consumer Lot Choice Survey; (ii) the sale or other disposition of assets of the receivership estate; (iii) ownership rights relative to Sanctuary Belize and Kanantik lots; (iv) the apportionment of consumer redress payments; and (v) all other matters concerning the administration of the receivership estate; and

- The exercise of all powers, duties, and responsibilities undertaken by the Receivership Team pursuant to, and in accordance with, the Court's orders shall not be subject to challenge through litigation or motion practice without first obtaining leave of this Court based on a sufficient showing that the asserted claim is made in good faith, has not been previously resolved based on prior orders or established case law, and is otherwise cognizable.

This Motion is made and based upon the memorandum of points and authorities in support of the Motion, the Declaration of Marc-Philip Ferzan filed concurrently herewith, the Declaration of Allison M. Rego filed concurrently herewith and the file in the above-captioned case.

Respectfully submitted,

Dated: July 27, 2026

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MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR APPROVAL OF REDRESS DISTRIBUTION AND RELATED RELIEF

This memorandum of points and authorities is filed by Receiver Marc-Philip Ferzan of Ankura Consulting Group, LLC ("Receiver") in support of the Motion for Approval of Redress Distribution and Related Relief ("Motion").

I. INTRODUCTION

While the Receivership Team has returned more than $32 million to consumer victims, making another round of redress payments in advance of winding down the estate remains a priority. By way of background, the estate made an initial redress distribution in 2023 of $10 million to eligible Sanctuary Belize consumers. Following the successful sale of the estate's most significant assets – the Belize development properties and related personal property – the estate made a second distribution in 2026 of nearly $23 million to eligible Sanctuary Belize, Kanantik and other qualifying development area consumers. Having now initiated payments to all eligible consumers and successfully transferred nearly 98% of the funds allocated for the second round of redress, the Receivership Team has been working diligently to resolve the persisting administration and other final responsibilities of the receivership.

As part of these initiatives, the Receivership Team has been able to make significant progress in resolving potential liabilities through the Court and other proactive efforts. Among other things, on March 23, 2026, the Receiver filed a motion seeking a determination that the receivership estate is not required to pay pre-receivership, non-consumer creditor claims based on a number of factors, including the substantial losses incurred by the consumer victims who will not be made whole given the nature, scope, and extent of defendants' misconduct. The Court entered an order granting the motion on June 12, 2026. On a parallel track, the Receivership Team also formally contacted the Internal Revenue Service ("IRS"), which was not subject to the pre-receivership creditor motion, regarding the pendency of certain historical assessments against defendant Andris Pukke that dated back more than 21 years and totaled in excess of $2 million, to seek confirmation that the agency does not intend to assert any claims against the receivership estate. The Receivership Team directed that if the agency contends it has one or more tax claims against the estate, notice of the same be provided by no later than June 10, 2026. The Receivership Team did not receive any response from the IRS.

With potential non-consumer creditor claims having been addressed, by way of this Motion, the Receiver is hereby seeking authorization to make the next consumer distribution as expeditiously as possible, while reserving estimated funds needed to complete administration of the estate in anticipation of seeking the Court's approval in the near term to discharge the receivership.

II. SUMMARY OF RELEVANT CASE HISTORY[1]

A. FTC's Complaint and Resultant Judgments

This matter was commenced on October 31, 2018 by the Federal Trade Commission ("FTC") with its filing of a Complaint for Permanent Injunction and Other Equitable Relief (Doc. 1) ("Complaint"). As asserted in the Complaint, reflected in several settlement agreements, and ultimately proven by the FTC after a three-week bench trial, the defendants perpetrated a far-reaching fraud with respect to the sale of the Belize land assets, including by misleading consumers about the no-debt nature of the project, the purported reinvestment of sales revenue, the construction of luxury and other amenities, the timeline for development, the state of the resale market for lots, and the involvement of Andris Pukke, who, as noted by the Court (*see, e.g.,* Doc. 1020), had already been found guilty of criminal misconduct in connection with previous consumer deception schemes. The Sanctuary Belize judgments ultimately entered against the defendants required payment of $120.2 million.

1. Judgments Relating to Belize Assets

Among other judgments, on January 13, 2021, the Court entered its Order for Permanent Injunction and Monetary Judgment Against Defaulting Defendants John Usher, et al. (Doc. 1112) ("Default Judgment"). The Defaulting Corporate Defendants (as defined therein) included Sittee River Wildlife Reserve and Eco-Futures Belize Limited, the record owners of what is commonly referred to as Sanctuary Belize. The Receivership Assets (as defined therein) included the Defaulting Corporate Defendants themselves and the things those entities controlled. The Default Judgment provided, among other things, the Receivership Assets are to be "held in

[1] As the history of this case is lengthy and complex, the Motion provides only a summary overview of certain judgments, orders and filings. Additional case history is reflected in the record, including the Receivers' reports of activities (*see, e.g.,* Doc. 1334, 1342, 1365, 1378, 1412, 1455, 1481, 1505, 1525, 1539, 1590, 1596, 1610, 1621).

constructive trust by the Receiver" for the benefit of lot purchasers and the FTC. *See* Default Judgment, at Section IV.D.

Similarly, on March 24, 2021, the Court entered its Amended Final Order for Permanent Injunction and Monetary Judgment Against Defendants Andris Pukke, Peter Baker and Luke Chadwick (Doc. 1194) ("Pukke Final Judgment"). The Corporate Defendants subject to the judgment also included Sittee River Wildlife Reserve and Eco-Futures Belize Limited. The Pukke Final Judgment likewise provided that the Receivership Assets are to be "held in constructive trust by the Receiver" for the benefit of lot purchasers and the FTC. *See* Pukke Final Judgment, at Section IV.C.

On March 24, 2021, the Court entered the Final Order Concerning Kanantik (Doc. 1193, "Kanantik Order"). The Kanantik Order confirmed that the entities comprising the Kanantik development are receivership assets pursuant to the judgments entered in the case, including Mango Springs Development Limited and G&R Development Company of Belize Limited, the record owners of what is commonly referred to the as the Kanantik property.

2. <u>AIBL Judgment</u>

In January 2019, the FTC filed an amended complaint that named Atlantic International Bank Limited ("AIBL") asserting that AIBL participated with the other defendants in deceptive acts or practices relating to Sanctuary Belize. *See* Doc. 607, at ¶1. In September 2019, the Court entered the Stipulated Order for Permanent Injunction and Monetary Judgment Against Defendant Atlantic International Bank Limited (Doc. 607, "AIBL Judgment"). The AIBL Judgment required AIBL to turn over $23 million to the receivership estate. *See id.*, Section IV.

B. <u>August 2022 Redress Order</u>

On August 18, 2022, the Court entered its Order Regarding Implementation of the Redress Plan (Doc. 1373) ("August 2022 Redress Order"), which partially granted the FTC's motion (Doc. 1117) for implementation of a proposed redress plan (Doc. 1117-1) (the "Redress Plan"). In its motion in support of the Redress Plan, the FTC noted that proceeds of wrongdoing are appropriately held in trust for the victims of the wrongdoing and as such, the Redress Plan provided that any claims of non-consumer creditors would be deferred unless and until consumer lot purchasers were paid in full. *See* Doc. 1117, at pages 9-10.

Under the August 2022 Redress Order, and consistent with the priorities of the FTC, the Receiver was directed to implement the first 150 days of the Redress Plan. As ordered, the Receivership Team developed and implemented a turnkey online Claim Application program to facilitate the broadest possible participation of eligible victims within required timelines, and to reconcile relevant financial information and lot ownership interests to support individual redress program benefits, as well as the anticipated marketing and sale process of the broader development areas. As a result of the Receiver's coordinated efforts, robust participation was made possible for victims, who were able to successfully submit Claim Applications and obtain lot-specific eligibility determinations in accordance with Redress Plan parameters. By the February 9, 2023 notification deadline, more than 2,840 eligibility notices (factoring in lot-specific details and qualifying payment histories) were distributed to individual claimants in connection with over 1,700 applications received – and 97% of those applications were determined to be eligible by the Receivership Team.

C. <u>June 2023 Redress Order</u>

On June 14, 2023, in accordance with recommendations made by the Receivership Team, the Court entered its Order Implementing Next Phase of Consumer Redress (Doc. 1446, "June 2023 Redress Order").[2] Pursuant to the June 2023 Redress Order, the Receiver was authorized to

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[2] The Receiver notes with respect to timing that certain of the defendants appealed the judgments

make an interim distribution of $10 million to eligible Sanctuary Belize consumers from the segregated funds held by the Receiver originating from the $23 million settlement proceeds paid by AIBL. The June 2023 Redress Order also authorized the Receiver to (i) undertake a Request for Information ("RFI") and Request for Proposal ("RFP") process for the sale of the receivership's Belize assets; and (ii) implement an individual Lot Choice Survey process to allow eligible consumers without title to their lot to make elections to (a) buy out their lot in advance of the completion of the RFP process, to the extent that title to the underlying property was available to be transferred, (b) defer the decision of whether to acquire their lot, or a new a lot, until after the RFP process has been completed (to the extent a new investor or developer may choose to offer lots for sale to consumers under terms and conditions that are acceptable), or (c) waive any right to acquire a lot.

D. <u>Sales of Individual Lots</u>

The Lot Choice Survey was distributed on April 8, 2024, and consumers generally had through July 8, 2024 to review their lot choice options and consider other relevant factors in making their selection for each eligible lot. In administering the Lot Choice Survey, the Receivership Team helped facilitate closings for Sanctuary Belize consumers[3] who selected

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entered against them in 2021. On November 1, 2022, the Fourth Circuit Court of Appeals affirmed this Court's orders appointing the Receiver and left the receivership intact, without directing any changes. On January 4, 2023, the Court granted the FTC's motion to confirm the Receiver's control over all receivership assets pursuant to the Order Confirming Receiver's Possession of and Control Over Assets Previously Order to be Turned Over (Doc. 1397). On June 14, 2023, in addition to the June 2023 Redress Order, the Court entered its Order Reforming and Reaffirming the Final Orders (Doc. 1447).

[3] Although government land records reflect that the Mango Springs subdivision of Kanantik received certain Belizean government approvals, other complicating factors were identified impacting the transferability of the individual lots, including encumbrances, lack of boundary surveys (which the defendants failed to complete), administrative lapses relating to the underlying land parcels in the Belize Land Titles Register, and lack of recognition of the subdivided lots by the Belize taxing authority. Consequently, all Kanantik consumers electing

Option No. 1 and were eligible to complete the buy out of their lot in accordance with the requirements of the June 2023 Redress Order.

The estate received approximately $894,630 (the "Individual Lot Purchase Proceeds"), net of associated expenses, of additional potential revenue from the receipt of principal payments made by consumers who elected to proceed to closing on their lots during the administration of the Lot Choice Survey Program. *See* Doc. 1596, at page 16. Following an ordinary real estate parcel closing in Belize, however, governmental delays associated with the processing of title transfers can often be experienced. Accordingly, the Stipulated Order Authorizing Measures to Assist Consumers During the Redress Process entered by the Court on December 28, 2023 (Doc. 1499, the "December 2023 Order") provides that those consumers who proceed to closing, but do not receive title within certain periods of time (of potentially up to 36 months post-closing), will have the ability to unwind the transaction. *See id.*, Section 3. The December 2023 Order further provides, to this end, that any additional principal payment made by the individual consumer (as distinct from closing costs) is to be held by the receivership estate pending transfer of title or expiration of the rescission period. *Id.* While intended to address the Belize governmental delays noted above, based on the relevant closing dates, the rescission period could extend as far out as early 2028 in some cases.

To assess the progress of title transfers, the Receivership Team has conducted outreach to the twenty-three consumers who entered into reformed contracts and paid additional principal at closing in order to determine whether they have received legal title. Declaration of Marc Ferzan

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Option No. 1 were subsequently provided notice that, due to the factors impacting transferability, and after considering the anticipated timetables, costs, and uncertainties, as well as other receivership priorities, the Court agreed with the Receiver and FTC's joint recommendation that the Receiver should not attempt to transfer the Kanantik lots under the June 2023 Redress Order.

("Ferzan Decl."), ¶6. Nine consumers (across ten lots) confirmed that they have received title, resulting in $256,798.54 of the more than $894,000 in Individual Lot Purchase Proceeds being designated for release from escrow. *Id.* As of the time of this filing, none of the fourteen remaining consumers have terminated their reformed contract.[4] *Id.* The Receivership Team will continue to track the status of title transfers as wind-down efforts progress.

In the interim, the approximately $637,832 balance of Individual Lot Purchase Proceeds will remain segregated in accordance with the December 2023 Order, in the event any of the relevant consumers should seek to exercise their rescission rights. If the Receivership Team confirms additional title transfers before directing the payment administration vendor to begin printing redress checks, such additional amounts will be released from escrow and included in the distribution. Prior to the conclusion of the receivership, the Receiver expects to propose that any funds remaining in the receivership estate will be directed to the U.S. Treasury and/or transferred to the FTC.

E. Sale of Remaining Belizean and Other Assets

As detailed in the Receiver's sale recommendation filings, the Receivership Team undertook an extensive RFI and RFP effort, culminating in the Receiver recommending the Court approve the sale of the estate's Belize assets to First Belizean Investment Market Ltd. ("FBIM"). *See* Doc. 1556-1556-3. After completion of the statutory overbid process, and a hearing before the Court, on May 13, 2025 the Court entered the Order Granting Receiver's Amended Motion for (I) Approval of Sale of Real Property Commonly Referred to as Sanctuary

[4] For the fourteen consumers who have not yet confirmed receipt of title, the Receivership Team encouraged them to contact the attorney who assisted them with their closing and/or the Belize Lands Department to expedite the transfer of title, as proactive outreach has historically proven effective in securing title records more quickly.

Belize and Kanantik, as well as Related Personal Property; and (II) Other Related Relief (Doc. 1588, the "Sale Authorization Order").

Following entry of the Sale Authorization Order, the Receivership Team closely coordinated with legal counsel in the United States and Belize to advance the required closing responsibilities and finalize transfer documentation and other required government engagement and submissions. The closing of the transaction occurred on June 26, 2025 in Belize City at the law offices of Barrow & Williams. While the duties, responsibilities and liabilities for the Belize real estate were immediately transferred to FBIM upon closing, there were a multitude of additional obligations required by the Purchase Agreement and Belize law post-closing. The post-closing obligations were primarily carried out by Barrow & Williams at the direction of the Receivership Team.

In accordance with the terms and conditions of the Purchase Agreement and Escrow Agreement, $19,000,000 of the $20,500,000 in sale proceeds was transferred to the receivership estate from the parties' escrow account on July 3, 2025, and, following the reconciliation of remaining issues, the balance of $1,500,000 was transferred from the escrow account to the receivership estate on August 13, 2025. Of this amount, under the Purchase Agreement, $16,800,000 was allocated for the purchase of Sanctuary Belize assets and $3,700,000 was allocated for the purchase of the Kanantik assets. *See* Doc. 1556-3, at Section 1.4.

In furtherance of receivership wind-down activities, the Receivership Team also sought and obtained Court approval to sell a 0.29 acre lot of unimproved receivership real estate located in Missouri for a purchase price of $28,250 pursuant to the Court's August 20, 2025 Order Granting Motion for Order Approving the Sale of Unimproved Real Property Commonly Known as 3154 Buckeye Circle, Cape Girardeau, Missouri. Doc. 1595. On September 18, 2025, the receivership estate executed the closing documents and, on September 26, 2025, the sale proceeds, minus certain closing cost expenses, were transferred to the receivership estate.

F. January 2026 Redress Order

In October 2025, the Receiver brought a motion seeking authorization to make distributions to eligible consumers. *See* Doc. 1600. More specifically, the motion sought authorization to make another round of redress distributions in the amount of $20 million, supplementing the initial distribution of $10 million to eligible Sanctuary Belize consumers in late 2023. *See* Doc. 1600-1, at page 10. The motion also sought the Court's approval to make initial payments of almost $3 million to eligible Kanantik and other qualifying development area consumers. *Id.*

There were no cash proceeds available to make redress payments to Kanantik or other covered development area lot purchasers at the time of the first distribution because the Redress Plan contemplates that such payments are to come from the liquidation of Kanantik assets (of which none had been sold prior to the June 26, 2025 closing).[5] Kanantik historically lacked liquid assets and funds were, in effect, borrowed from Sanctuary Belize-designated cash assets to enable necessary operations and maintenance that were unique to Kanantik, *See* Doc. 1600-1, at

[5] The Redress Plan separately defines "Eligible Kanantik Collections" and "Eligible Sanctuary Collections," and expressly excludes from the "Eligible Kanantik Collections" any assets that are "derived in substantial part from Sanctuary Belize, New Sanctuary, or any other source besides Kanantik." *See* Doc. 1117-1, at page 8. In addition, the Redress Plan defines "Kanantik Receivership Expenses" as "the costs and expenses the Receiver incurs solely managing Kanantik," while the "costs or expenses … also incurred in part to manage or perform other functions related to New Sanctuary or anything else other than Kanantik" are defined as "Sanctuary Receivership Expenses." *Id.*, at page 10-11, 18 (emphasis added). Moreover, the "Sanctuary Distribution Formula" and "Kanantik Distribution Formula" contained in the Redress Plan reflect that the collections and expenses of Sanctuary Belize and Kanantik are to be separately accounted for in connection with calculating redress. *Id.*, at page 10, 17-18.

page 9. As a result, the Kanantik distribution and the Sanctuary Belize distribution was adjusted accordingly as set out in the October 2025 motion. *Id.*

On January 12, 2026, the Court entered an order (the "January 2026 Redress Order") approving the following redress distributions: (i) $20,000,000 on a pro rata basis to Sanctuary Belize consumers with claim applications deemed eligible in accordance the notifications provided by the Receiver on or about February 9, 2023 (the "Eligible Claim Notifications"); and (ii) $2,836,838.22 on a pro rata basis to Kanantik consumers and others with claim applications deemed eligible in accordance with Eligible Claim Notifications.[6]

On February 5, 2026, following final preparations to distribute payments, including the drafting of email notices and printing of checks, the payment administration vendor, at the direction of the Receivership Team, began distributing more than 1,600 payments to eligible consumers. *See* Doc. 1621, at page 12. As of July 6, 2026, $22,353,369.27 of the $22,836,838.10 in payments issued was accepted.

G. <u>Non-Consumer Creditors</u>

As noted above, on March 23, 2026, the Receiver filed a motion seeking a determination that the receivership estate is not required to pay pre-receivership, non-consumer creditor claims. *See* Doc. 1681. In connection with the filing, the Receivership Team provided notice to potential creditors by serving the motion accompanied by a letter directing that any party objecting to the motion file an opposition with the Court by no later than May 22, 2026. *See* Doc. 1618-2, ¶¶3-7 and Exhibits A & B; Doc. 1618-6. No filings were made with the Court in response to the

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[6] The defendants' wrongdoing resulted in certain "other" eligible consumer claims (not directly affiliated with Sanctuary Belize or Kanantik per the definitions in the Redress Plan). More particularly, defendants' conduct also formed the basis of redress plan-qualifying sales in: Bamboo Springs (Belize), Palmaya (Belize), Rancho Del Mar (Costa Rica), and Playa Cortez (Mexico). There are approximately 58 of these "other" eligible claims that were validated through the Claims Application process.

motion. On June 12, 2026, the Court entered an order providing that the Receiver is not required to pay any portion of any claims which are held or may be held by non-consumer creditors of the receivership estate. *See* Doc. 1624.

The non-consumer, pre-receivership creditor motion did not include potential federal tax claims by virtue of procedural limitations. Therefore, on April 10, 2026, counsel for the Receiver sent four letters to the Internal Revenue Service (certified mail with return receipt requested) regarding certain assessments made against defendant Andris Pukke that dated back more than 21 years and exceeded $2 million. Declaration of Allison Rego ("Rego Decl."), Exhibits 1-4. The letters explained why the Receivership should not have corresponding tax exposure and sought confirmation from the agency that it does not intend to assert any claims against the receivership estate relating to Andris Pukke and/or the other Receivership entities. *See id*. More particularly, the letters directed that, if the IRS believes it has any claim, or that the receivership estate bears responsibility for Mr. Pukke and/or other receivership entity tax obligations, the IRS provide written notice of the claim(s) and corresponding basis by no later than June 10, 2026, so that the parties have the opportunity to resolve any issues promptly before the Receiver seeks the Court's approval for closure of the receivership estate. *Id.* As of the date of this filing, the Receivership Team has not received any response from the IRS. *Id.*, ¶3.

III. <u>PROPOSED REDRESS DISTRIBUTION AND RESERVE</u>

As detailed further below, the Receiver is seeking authorization to make an additional redress distribution while reserving the estimated funds needed to complete administration of the estate. As of July 10, 2026, the estate's cash on hand totaled approximately $6.5 million. Ferzan Decl., ¶3. An additional amount of approximately $638,000 was being held in escrow pending the transfer of titles to fourteen consumers. *Id.* The following table summarizes the estate's proposed distribution and general estimated projections underlying the proposed wind-down reserve.

Professional Fees & Costs	$240,000
Professional Fee Holdback[7]	$140,000
Reserve for Potential Litigation Costs & Other Wind-Down Costs	$125,000
Vendor Administration Fees & Costs	$85,000
Storage Unit Costs/Secure Destruction of Records and Electronic Equipment	$10,000
Approximate Total Reserve for Accrued and Estimated Professional and Vendor Fees	*$600,000*
Proposed Redress Distribution Amount	*$5,891,913.46*

A. <u>Proposed Additional Redress Distribution</u>

Having addressed potential non-consumer creditor claims, and narrowing the amount of the Individual Lot Purchase Proceeds that are being held in escrow, the Receiver asks that the Court authorize an additional distribution of $5,891,913.46, subject to increase in the event any additional Individual Lot Purchase Proceeds are released from escrow prior to the Receivership Team directing the printing of redress checks, to be allocated pro rata to eligible Sanctuary Belize consumers.

In accordance with the FTC's Redress Plan and prior Court Orders, this proposed distribution is limited to eligible Sanctuary Belize consumers because there are no other Kanantik-eligible funds from which those consumers could receive additional redress – as the full proceeds from the sale of Kanantik were included as part of the second distribution. With respect to the Sanctuary Belize distribution proposed herein, funds would be derived from,

[7] This holdback amount accounts for the fee application requests relating to Ankura, Barnes & Thornburg, and Mojdehi Galvin Rego through April 30, 2026 in accord with the Court's June 18, 2024 Order Regarding Billing Guidelines for the Receiver and its Counsel. Doc. 1519. Pursuant to the Order, a 10% holdback is applied in connection with related fee application requests and accounted for as a payable until the Court considers the holdback amounts as part of a final fee request submitted at the close of the receivership. *Id.*, page 2, ¶2.

among other things, the balance of proceeds from the sale of the Sanctuary Belize assets, remaining Atlantic International Bank Limited Judgment funds, the Individual Lot Purchase Proceeds that have been released from escrow, and aggregated bank account interest. As with the previous distributions the Receivership Team has made, the calculation for pro rata distribution payments will be based on the Amount Paid set forth in the Eligible Claim Notification for each Sanctuary Belize lot divided by the aggregate Amounts Paid set forth in all Eligible Claim Notifications associated with Sanctuary Belize.

To allow for the timely closure of the receivership estate, the Receiver is additionally asking the Court to direct that all redress distributions must be accepted and deposited within 60 days from the date of issue (barring extenuating circumstances); otherwise such payments will revert to the estate.

B. Proposed Reserve to Complete Receivership Responsibilities

The Receivership Team proposes reserving approximately $600,000 in order to fund the estimated obligations and expenses associated with completing remaining receivership activities and winding down the estate (for avoidance of doubt, payment of professional fees and costs shall remain subject to the same Court approval requirements).[8] This includes, among other things, administering the redress payment distribution sought to be made herein, addressing any Court proceedings, preparing a final report and accounting to be filed with the Court, filing final tax returns, continuing to coordinate with the FTC with respect to receivership records and other activities associated with the wind-down and dissolution of the receivership estate, and resolving all other administrative matters.

[8] The Receivership will also continue to keep segregated the remaining approximately $637,832 in the above-referenced Individual Lot Purchase Proceeds as required by the Court's December 2023 Order pending remaining title transfers, or until further order of the Court.

Following the implementation of the proposed redress distribution, the Receiver anticipates filing a motion with the Court in the near term to provide the final report, as well as to request the approval of professional fees and costs and seeking discharge of the receivership.

IV. THE COURT HAS BROAD DISCRETION TO APPROVE REDRESS DISTRIBUTIONS AND WIND-DOWN RESERVE

A "district court's power to supervise an equity receivership and to determine the appropriate action to be taken in the administration of the receivership is extremely broad." *S.E.C. v. Hardy*, 803 F.2d 1034, 1037 (9th Cir. 1986); *see also S.E.C. v. Elliott,* 953 F.2d 1560, 1566 (11th Cir. 1992) ("The district court has broad powers and wide discretion to determine relief in an equity receivership."). The district court's authority includes the power to approve any distribution plan that is fair and equitable. *See S.E.C. v. Fischbach Corp.*, 133 F.3d 170, 175 (2d Cir. 1997) (explaining it is "within the court's discretion to determine how and to whom the money will be distributed"); *see also S.E.C. v. Varacchi*, No. 3:17-CV-00155 (VAB), 2021 WL 10361074, at *6 (D. Conn. July 30, 2021) ("A distribution plan proposed by a receiver should be reviewed under the District Court's general equitable powers to ensure that it is fair and reasonable.") (internal quotation omitted); *S.E.C. v. Enter. Tr. Co.*, No. 08 C 1260, 2008 WL 4534154, at *3 (N.D. Ill. Oct. 7, 2008), *aff'd*, 559 F.3d 649 (7th Cir. 2009) ("There are no hard rules governing a district court's decisions . . . the standard is whether a distribution is equitable and fair in the eyes of a reasonable judge."); *S.E.C. v. Cap. Cove Bancorp LLC*, No. SACV1500980JLSJCX, 2018 WL 11357746, at *4 (C.D. Cal. Sept. 7, 2018) (finding "that returning funds traceable to defrauded investors before general creditors is proper.").

The distribution proposed by the Receiver is fair and equitable. The Receiver is seeking to distribute the bulk of the estate's funds to eligible consumers as expediently as possible and proposes to treat the different groups of eligible consumers in line with the Redress Plan previously proposed by the FTC in this case. *See* Ferzan Decl., ¶3. Moreover, in the Receiver's business judgment, the approximately $600,000 being reserved for the costs of completing administration of the estate is fair and reasonable. *Id.*, ¶4. It is in the consumer's best interests to receive another distribution as quickly as possible, following which the receivership can be promptly wound down and closed. The reserve facilitates expeditious redress in this respect, while ensuring the estate has sufficient resources for an orderly wind-down.

In addition, as noted above, this Court has already found that the receivership is not required to pay non-consumer, pre-receivership creditor claims. Further, although that ruling did not apply to federal tax claims, the Receivership Team provided the IRS with formal notice to assert any claim(s) it believes it has against the receivership by June 10, 2026. The IRS did not do so. As such, it is fair to conclude that the IRS has no claims to assert. *Cf. Sec. & Exch. Comm'n v. Nadel*, No. 8:09-CV-87-T-26TBM, 2013 WL 12161449 (M.D. Fla. Apr. 12, 2013) (confirming disallowance of claim submitted after claims bar date). It is equitable at this juncture to approve an additional distribution to consumers without a reserve for non-consumer creditor or tax claims.

V. ADDITIONAL RELIEF

Factoring in the prolonged nature of this matter (which spans nearly 8 years), its extensive procedural history (summarized in Section II), and the Receivership Team's objective of maximizing the amount of redress distributed to eligible consumers, the reserve amount proposed by the Receiver does not anticipate being required to fund the defense of any material litigation against the estate. The Receivership Team believes this approach is reasonable and in the best interests of the receivership estate given the ample opportunity that consumers have had to assert objections to the Court's orders concerning, among other things, the Lot Choice Survey process, sale of receivership assets, apportionment of redress payments, and other receivership administration matters. Furthermore, all consumers were afforded the ability to challenge the Receivership Team's Claim Application determinations through a Dispute Notice process, which was completed in April 2023 – more than three years ago.

To ensure the estate is not left with an inadequate reserve and to facilitate making the additional distribution in the amount proposed herein, the Receiver requests that, upon entry of the proposed order:

- All determinations relating to the following be deemed final: (i) the administration of the consumer claims process and the consumer Lot Choice Survey; (ii) the sale or other disposition of assets of the receivership estate; (iii) ownership rights relative to Sanctuary Belize and Kanantik lots; (iv) the apportionment of consumer redress payments; and (v) all other matters concerning the administration of the receivership estate; and

- The exercise of all powers, duties, and responsibilities undertaken by the Receivership Team pursuant to, and in accordance with, the Court's orders shall not be subject to challenge through litigation or motion practice without first obtaining leave of this Court based on a sufficient showing that the asserted claim is made in good faith, has not been previously resolved based on prior orders or established case law, and is otherwise cognizable.[9]

Courts have authority to fashion equitable relief aimed at facilitating the orderly dissolution of receiverships, including the routine issuance of broad releases. *See, e.g., Fed. Trade Comm'n v. AH Media Grp., LLC*, No. 19-CV-04022-JD, 2022 WL 18046402, at *2 (N.D. Cal. Feb. 11, 2022). The more limited, interim relief described above is being sought to aid the Receiver in estimating a sufficient reserve. Should the Court not enter this additional relief, the Receivership Team would respectfully request that the proposed redress distribution be decreased by $125,000 – from $5,891,913.46 to $5,766,913.46 – to ensure that a sufficient reserve is in place to address potential litigation.

[9] To the extent necessary and appropriate, the Receivership Team will consider seeking the recovery of fees and sanctions should any filings meet the frivolous litigation standard of the Federal Rules of Civil Procedure or are otherwise provided for by law.

VI. NOTICE

It is well established that the Court may employ summary procedures. *See Hardy*, 803 F.2d at 1040 ("We have repeatedly held, however, that the use of summary proceedings to determine appropriate relief in equity receiverships, as opposed to plenary proceedings under the Federal Rules, is within the jurisdictional authority of a district court."); *S.E.C. v. Basic Energy & Affiliated Res., Inc.*, 273 F.3d 657, 668 (6th Cir. 2001) ("Such abbreviated procedures (including the use of a single receivership proceeding to resolve all claims) advance the government's interest in judicial efficiency by reducing the time needed to resolve disputes, decreasing the costs of litigation, and preventing the dissipation of the receiver's assets.").[10]

In addition to service via ECF, the Receiver will post the Motion and supporting papers on the receivership website. In addition, the Receiver will also send via email to all consumer victims as to whom the Receivership Team has contact information, which exceed 2,500 in number, a link to the Motion and supporting papers. The Receiver submits that the foregoing is sufficient and fair notice of the Motion.

VII. CONCLUSION

For the reasons set forth herein, the Receiver respectfully requests that the Court enter an order substantially in the form submitted herewith granting this Motion and approving the redress distribution proposed herein and establishing the proposed reserve.

/ / /

/ / /

[10] The Court has jurisdiction over receivership property and the ability to exercise personal jurisdiction on a nation-wide basis. *See Robb Evans & Assocs. LLC v. Diaz-Cueto,* No. CV 21-2049, 2022 WL 3213611, at *7–8 (D. Md. Aug. 9, 2022). Service of process is not necessary to secure personal jurisdiction "given the due process protections provided in the summary procedure and the judicial efficiency in conducting the receivership." *S.E.C. v. Nadel*, No. 8:09-CV-87-T-26TBM, 2013 WL 2291871, at *1 (M.D. Fla. May 24, 2013).

Respectfully submitted,

Dated: July 27, 2026

By: */s/ Allison M. Rego*
Allison M. Rego (CA Bar No. 272840)
Admitted Pro Hac Vice 5/25/23
Mojdehi Galvin Rego LLP
2550 5th Avenue, Suite 910
San Diego, CA 92103
Telephone: (858) 754-6214
Email: allison.rego@mgr-legal.com

By: */s/ James E. Van Horn*
James E. Van Horn (Bar No. 29210)
Barnes & Thornburg LLP
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Suite 1200
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Email: jvanhorn@btlaw.com

Attorneys for Receiver, Marc-Philip Ferzan of
Ankura Consulting Group, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
SOUTHERN DISTRICT

In re SANCTUARY BELIZE LITIGATION	No. 18-cv-3309-PX

DECLARATION OF MARC-PHILIP FERZAN IN SUPPORT OF MOTION FOR APPROVAL OF REDRESS DISTRIBUTION AND RELATED RELIEF

I, Marc-Philip Ferzan, declare:

1. I am a Senior Advisor with Ankura Consulting Group, LLC ("Ankura"), and serve as the Court-appointed successor Receiver in the above-captioned action. I and my colleagues at Ankura and other professionals assigned to support the receivership are collectively referred to in this declaration as the "Receivership Team." I have personal knowledge of the matters set forth in this declaration, and if I were called upon to testify as to these matters, I could and would competently testify thereto based on my personal knowledge.

2. I make this declaration in support of the Motion for Approval of Redress Distributions and Related Relief ("Motion"). Terms used but not defined herein are as defined in the memorandum of points and authorities in support of the Motion.

3. As of July 10, 2026, the estate's cash on hand totaled approximately $6.5 million. The $5,891,913.46 proposed additional redress distribution, subject to adjustment as set forth in the Motion, is fair and equitable. The proposed distribution treats the different groups of eligible consumers in line with what was contemplated by the Redress Plan proposed by the FTC earlier in this case. It is in the best interests of consumers in my business judgment to distribute these

funds -- which constitute the vast majority of the funds of the receivership estate -- now rather than requiring consumers to wait until all remaining wind-down and other matters associated with the receivership are completed.

4. The Receivership Team is in the process of addressing remaining items that need to be resolved before the Receiver seeks authorization of the Court to close the receivership and discharge the Receiver including, addressing any Court proceedings, preparing a final report and accounting to be filed with the Court, filing final tax returns, continuing to coordinate with the FTC with respect to receivership records and other activities associated with the wind-down and dissolution of the receivership estate.

5. The reserve amount of approximately $600,000 proposed in the Motion is fair and reasonable based on the Receivership Team's analysis of the potential remaining expenses. The reserve amount accounts for the estimated obligations and expenses associated with completing remaining receivership activities and winding-down the estate (for avoidance of doubt, payment of professional fees and costs shall remain subject to the same Court approval requirements) and previous professional holdback amounts (*see* Doc. 1519). This includes projected costs for the vendor administering the additional redress payments and costs for storage and anticipated destruction of the hundreds of boxes of physical documents that the receivership estate has been retaining at a storage facility in Los Angeles, California.[1]

6. The reserve amount is in addition to the approximately $637,832 of remaining Individual Lot Purchase Proceeds being held by the estate in accordance with the Court's

[1] The receivership previously obtained authorization to destroy the records after January 15, 2026, subject to confirming there was no objection by the Federal Trade Commission or the prosecution or defense in the criminal proceedings against Mr. Pukke in the Southern District of New York. *See* Doc. 1603.

December 2023 Order, pending transfer of title or expiration of the rescission period. To assess the progress of title transfers, the Receivership Team has conducted outreach to the twenty-three consumers who entered into reformed contracts and paid additional principal at closing in order to determine whether they have received legal title. Nine consumers (across ten lots) confirmed that they have received title, resulting in $256,798.54 of the more than $894,000 of Individual Lot Purchase Proceeds initially held by the estate being designated for release from escrow. As of the time of this filing, none of the fourteen remaining consumers have terminated their reformed contract.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 27, 2026 in Montgomery County, Pennsylvania.

Marc-Philip Ferzan

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
SOUTHERN DISTRICT

In re SANCTUARY BELIZE LITIGATION	No. 18-cv-3309-PX

DECLARATION OF ALLISON M. REGO IN SUPPORT OF MOTION FOR APPROVAL OF REDRESS DISTRIBUTION AND RELATED RELIEF

I, Allison M. Rego, declare:

1. I am a partner at Mojdehi Galvin Rego LLP, counsel of record for the Court-appointed successor Receiver in the above-captioned action. I have personal knowledge of the matters set forth in this declaration, and if I were called upon to testify as to these matters, I could and would competently testify thereto based on my personal knowledge.

2. I make this declaration in support of the Motion for Approval of Redress Distributions and Related Relief ("Motion"). Terms used but not defined herein are as defined in the memorandum of points and authorities in support of the Motion.

3. On April 10, 2016, I mailed four letters, true and correct copies of which are attached hereto as **Exhibits 1-4**, to the Internal Revenue Service ("IRS"), by certified mail with return receipt requested. I received return receipts for three of the four letters reflecting receipt on April 13 (letter mailed to Chief of Taxpayer Services, Kenneth Corbin, 401 W Peach Street NE, Atlanta, GA 30308), April 14 (letter mailed to Centralized Lien Operation, PO Box 14559, Stop 820G, Cincinnati, OH 45250) and April 16 (letter mailed to Chief Executive Officer, Frank J. Bisignano, 1111 Constitution Avenue NW, Washington, DC 20224), respectively. As to the fourth

letter (mailed to Kenneth Kies, Chief Counsel (Acting), 1111 Constitution Avenue NW, Washington, DC 20224), search of the tracking number reflects that it was delivered to an individual at the address on April 16. Neither I nor the Receiver have not received any response from the IRS as of the date of this filing.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on July 27, 2026 in San Diego, California.

/s/ Allison M. Rego
Allison M. Rego

EXHIBIT 1

MGR | MOJDEHI GALVIN REGO

2550 Fifth Ave, Suite 910
San Diego, CA 92103

Allison M. Rego
858-754-6214
allison.rego@mgr-legal.com

April 10, 2026

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Kenneth Corbin
Chief Taxpayer Services
401 W. Peachtree Street, NW
Atlanta, GA 30308

Re: *In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX – Andris Pukke Tax Lien (Serial Number 344942019)

Dear Mr. Corbin:

My firm represents the successor receiver appointed by the Federal District Court in the above-referenced case. We write to respectfully request clarification by June 10, 2026 of the IRS's position concerning the enclosed tax lien against Andris Pukke.

The receivership estate is not aware of whether Defendant Pukke (and/or any of the receivership entities) as of the date of this letter have outstanding tax obligations that are due and owing to the IRS under a tax lien (or otherwise) and in accordance with the analysis below, does not believe the receivership estate has responsibility for the tax lien in any event. However, since the administration of the estate on behalf of the victims in this matter is close to completion, we are writing in an abundance of caution to the extent it may be necessary to address potential IRS matters that could impact the estate before seeking the Court's approval to wind it down.

The FTC Enforcement Action

By way of background, the Sanctuary Belize civil enforcement case was commenced by the Federal Trade Commission ("FTC") on October 31, 2018. The FTC settled with certain defendants and prevailed on claims at trial against others, including Andris Pukke, establishing a far-reaching consumer fraud with respect to the sale of Belize land assets. The action resulted in a judgment exceeding $120 million. A copy of the final judgment against Defendant Pukke and certain of the other defendants is enclosed.

On November 5, 2018, the Court appointed a receiver to take control of and liquidate assets for the benefit of consumer victims, many of whom were retirees. The initial receiver appointed was Robb Evans & Associates LLC ("REA"). Following the passing of REA's principals, my client, Marc-Philip Ferzan of Ankura Consulting Group, LLC, was appointed as successor receiver on October 26, 2021.

To date, only approximately $33 million has been distributed to consumer victims in redress payments. Despite best efforts, consumers will not be made whole due to the scope and magnitude of defendants' misconduct. Indeed, Defendant Pukke was recently convicted for wire fraud and obstruction of justice in the U.S. District Court for the Southern District of New York and is currently incarcerated.

The Pukke Tax Lien

Anticipating the unfortunate likelihood that consumer victims would not be made whole, the FTC proposed a redress plan that prioritized payment to consumers ahead of non-consumer creditors.[1] To this end, the FTC's plan, consistent with the Department of Justic's directive, entitled *Tax Claims Against Embezzlers, Swindlers, Etc. v. Recovery by Investors, Dupes and Victims*[2], proposed that assets and funds recovered by the receivership estate would be held in a constructive trust for the benefit of the FTC and victims. The judgment against Defendant Pukke and others imposes a constructive trust (*see* enclosed Final Judgment, Section IV.C.). Based on applicable case law, a tax lien does not attach to receivership funds held in constructive trust.[3] As such, the receivership estate does not appear to be obligated to satisfy Defendant Pukke's tax lien.

In addition, the successor receiver is not aware of: (a) any property clawed back into the receivership estate that was titled in Defendant Pukke's name, or (b) the existence of bank accounts from which funds came into the receivership estate, wherein Defendant Pukke was a named signatory or beneficiary.

It is not apparent to the receiver that Defendant Pukke had any meaningful assets in his name during the existence of the receivership. In his recent criminal trial, for example, Defendant Pukke qualified for a public defender and it does not appear any assets were identified or seized in connection with the criminal forfeiture allegations in that proceeding. We additionally note that the successor receiver has not received outreach from the IRS concerning the tax lien and/or Defendant Pukke's personal tax obligations, despite the public nature of the proceedings against him.[4]

Request for Confirmation of No Claim Against Receivership Estate

As the successor receiver completes his responsibilities in the coming months and nears seeking the Court's approval to wind down the receivership estate, we request confirmation that the IRS is not asserting a claim against the estate and does not contend that the estate is responsible for satisfying Defendant Pukke's tax obligations generally and/or relative to those reflected in the tax lien, which includes assessments dating back more than 21 years. If the IRS believes it has any such claim, or that the receivership estate bears responsibility for Defendant Pukke and/or other

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[1] *See In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX, Docket Number 1117 (at 9-10), 1117-1 (at Section IX.A.).

[2] *See* https://www.justice.gov/sites/default/files/tax/legacy/2009/05/18/Z_Ponzi_schemes.pdf (last visited April 7, 2026).

[3] *See F.T.C. v. Crittenden*, 823 F. Supp. 699, 704 (C.D. Cal. 1993).

[4] Due to the assessments having been made more than ten years ago, the statute of limitations may have run with respect to a potential claim.

receivership entity tax obligations, please provide written notice of the claim(s) and corresponding basis by no later than June 10, 2026.

We would appreciate the opportunity to resolve any issues promptly before seeking the Court's approval for closure of the receivership estate.[5]

Sincerely,

MOJDEHI GALVIN REGO, LLP

Allison M. Rego

Encl.

[5] My office has also contacted the following: Kenneth Kies, Chief Counsel (Acting), 1111 Constitution Avenue NW, Washington, DC 20224; Frank J. Bisignano, Chief Executive Officer, 1111 Constitution Avenue NW, Washington, DC 20224; Centralized Lien Operation, P.O. Box 145595, Stop 8420G, Cincinnati, OH 45250-5595. We are unclear as to the most appropriate contact given the dissolution of the Department of Justice Tax Division in late 2025.

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Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE
PO BOX 145595, STOP 8420G
CINCINNATI, OH 45250-5585

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder
9.00
$R0010682708$
2019000071625 12:02 pm 03/07/19
65 406 N32 1
0.00 0.00 0.00 0.00 0.00 0.00 0.000.000.00 3.00

Form 668 (Y)(c) (Rev. February 2004)

1748 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area: SMALL BUSINESS/SELF EMPLOYED AREA #7
Lien Unit Phone: (800) 913-6050

Serial Number 344942019

TL
FF

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ANDRIS N PUKKE

Residence 427 E 17TH ST STE F
COSTA MESA H, CA 92627-4748

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2003	XXX-XX-2778	02/14/2005	03/16/2025	2107026.29
1040	12/31/2006	XXX-XX-2778	09/20/2010	10/20/2020	792.93

Place of Filing
COUNTY RECORDER
ORANGE COUNTY
SANTA ANA, CA 92702

Total $ 2107819.22

This notice was prepared and signed at OAKLAND, CA, on this, the 26th day of February, 2019.

Signature Joan Flach
for GRACE SANTACRUZ

Title
ACS W&I 15-00-0000
(800) 829-7650

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Form **668(Y)(c)** (Rev. 2-2004)
CAT. NO 60025X

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

In re **SANCTUARY BELIZE LITIGATION**	* * * * * * * * * *	Civil No. **PJM 18-3309**

AMENDED FINAL
ORDER FOR PERMANENT INJUNCTION AND MONETARY JUDGMENT AGAINST DEFENDANTS ANDRIS PUKKE, PETER BAKER, AND LUKE CHADWICK

The Federal Trade Commission ("FTC") has filed an Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, alleging that Defendants Andris Pukke, Peter Baker, and Luke Chadwick violated the FTC Act and the Telemarketing Sales Rule through the deceptive marketing of lots in a development known variously as Sanctuary Bay, Sanctuary Belize, and The Reserve (for ease, "Sanctuary Belize"). Following a trial on the merits, which commenced on January 22, 2020 and concluded on February 12, 2020, and as detailed in the accompanying Memorandum Opinion dated August 28, 2020, the Court has found Pukke, Baker, and Chadwick liable on all counts. To the extent necessary, the Court amends the allegations in the Amended Complaint to conform to the proof at trial. The Court's reasoning and specific findings are detailed in the Memorandum Opinion dated August 28, 2020.

IT IS THEREFORE ORDERED:

FINDINGS

1. This Court has jurisdiction over this matter.

2. The Amended Complaint charges that Andris Pukke, Peter Baker, and Luke Chadwick, along with their fellow Defendants, controlled and participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, as well as in violation of the Telemarketing Sales Rule, 16 C.F.R. Part 310, in connection with the sale of lots in a development in Belize known as Sanctuary Belize.

3. Although the relevant Findings of Fact are more fully set out in the accompanying Memorandum Opinion, and are incorporated herein, the Court makes the following Findings in accordance with that Opinion:

a. Since 2005, Pukke, Baker, and their co-Defendants have sold lots in the development known by various names and identified herein as Sanctuary Belize.

b. For his part, Luke Chadwick controlled or participated in these acts or practices commencing in 2008.

c. Following the 2008 settlement between the Receiver and Sittee River Wildlife Reserve, Pukke, Baker, and Chadwick took steps to hide Andris Pukke's involvement in Sanctuary Belize, including through Pukke's use of aliases such as "Marc Romeo" and "Andy Storm."

d. Under the control of Pukke, Baker and Chadwick, and frequently with their direct participation, all Corporate Defendants and Individual Defendants participated in the sale of Sanctuary Belize lots through telemarketers in the United States, while making the following claims, all of which were and are false and material:

i. That Defendants used a "no debt" business model to develop Sanctuary Belize which would make lots in Sanctuary Belize a less risky investment than one in which the developer would make payments to lenders;

ii. That every dollar Defendants collected from Sanctuary Belize lot sales would go back into the development;

iii. That Defendants would finish Sanctuary Belize quickly, including within two to three years, or within five years;

iv. That the finished Sanctuary Belize would have all of the amenities expected of an American luxury resort community, such as: (i) a hospital staffed with American physicians and nurses near the development; (ii) an emergency medical center near the downtown "Marina Village;" (iii) a championship-caliber golf course; (iv) a local airport within the development; (v) a new international airport nearby with direct flights to and from the United States; (vi) a "Marina Village" containing high-end boutiques, restaurants, cafes, an American-style grocery store, an elegant casino, and a hotel; and (vii) a 250-slip world-class marina;

v. That consumers could realize the rapid appreciation of their lots within Sanctuary Belize because there is a robust resale market through which consumers could easily resell their lots should they choose to do so; and

vi. That Andris Pukke has had no meaningful involvement with Sanctuary Belize or with the Defaulting Corporate Defendants.[1]

[1] Defendants also made a claim that lots sold to purchasers would appreciate in value from 100% to 500% within two to three years. As set forth in the Memorandum Opinion, the Court did not find this claim to be a violation of the FTC Act or the TSR.

e. These representations were likely to mislead consumers acting reasonably under the circumstances, these representations were material, and consumers relied on these representations.

f. Except for Atlantic International Bank, the Corporate Defendants (including Defaulting Defendants) operated as a common enterprise ("SBE") in making these claims.

g. SBE initiates or receives interstate telephone calls from consumers as part of a program to sell services to those consumers.

h. SBE offers to provide goods and services through telemarketing.

i. Pukke, Baker, Usher, and Chadwick knew or should have known that the claims identified were false at the time they were made, or were at the least recklessly indifferent to the truth of the claims.

j. As a result of these false claims, consumers paid the Defendants at least one hundred twenty million, two hundred thousand dollars ($120,200,000).

k. Usher and the Defaulting Corporate Defendants are jointly and severally liable with Pukke, Baker, Usher and to an extent, Chadwick.

DEFINITIONS

A. **"Asset"** means any legal or equitable interest in, right to, or claim to, any property, wherever located and by whomever held, whether tangible, intangible, digital, or otherwise, including, but not limited to, digital currencies, virtual currencies, digital tokens, and cryptocurrencies. For clarity, "Asset" includes Receivership Entities themselves, in addition to rights and things the Receivership Entities control.

B. **"Corporate Defendant(s)"** means Global Property Alliance, Inc., Sittee River Wildlife Reserve, Buy Belize, LLC, Buy International, Inc., Foundation Development Management, Inc., Eco-Futures Development, Eco-Futures Belize Limited, Newport Land Group

LLC, Power Haus Marketing, Sanctuary Belize Property Owners' Association, Prodigy Management Group LLC, Foundation Partners, BG Marketing, LLC, Ecological Fox, LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, and Atlantic International Bank Ltd. and each of their subsidiaries, affiliates, successors, and assigns, collectively, individually, or in any combination.

C. **"Defendant(s)"** means the Corporate Defendants, Individual Defendants, and Relief Defendants, collectively, individually, or in any combination.

D. **"Individual Defendant(s)"** means Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Rod Kazazi, Brandi Greenfield, Frank Costanzo, and Michael Santos collectively, individually, or in any combination.

E. **"Real Estate Good or Service"** means any interest in, service related to, or development of, any real estate containing or involving three or more lots or units of any kind.

F. **"Receiver"** means the receiver appointed in Section VI of this Order and any deputy receivers who shall be named by the temporary receiver.

G. **"Receivership Asset"** means any and all Assets ordered to be turned over or relinquished to the Receiver pursuant to this Order.

H. **"Receivership Entities"** means the Corporate Defendants (except Atlantic International Bank, Ltd., Ecological Fox, LLC, BG Marketing, LLC, and Foundation Partners), 2729 Bristol LLC, and 3905 Marcus LLC, as well as any other entity that: (1) was located at, registered to, or operated from 3333 Michelson Drive, Suite 500, Irvine, California as of November 7, 2018, and assists, facilitates, or otherwise conducts business related to the sale of real estate in Belize; (2) assists, facilitates, or otherwise conducts business related to the acts identified in the Findings of Fact in this Order, and is owned or controlled by any Defendant; or (3) Assets that are otherwise in the Receivership and that are corporations or other legal entities.

I. **"Relief Defendant(s)"** means Angela Chittenden, Beach Bunny Holdings LLC, the Estate of John Pukke, John Vipulis, and Deborah Connelly.

J. **"Telemarketing"** means any plan, program, or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the Telemarketing Sales Rule.

ORDER[2]

I. BAN ON REAL ESTATE GOODS AND SERVICES

IT IS ORDERED that Pukke, individually, collectively, or in any combination, is permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale, or assisting others in the advertising, marketing, promoting, or offering for sale of any Real Estate Good or Service, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising. Further, Baker and Chadwick, individually, collectively, or in any combination, are permanently restrained and enjoined from any involvement with Sanctuary Belize or any future incarnation. Additionally, Baker and Chadwick, individually, collectively, or in any combination, are also permanently restrained and enjoined from any involvement with the development known as "Kanantik" or any future incarnation. Nothing herein prohibits the Receiver or any transferee of the Receiver from selling any Receivership Asset, including any Receivership Asset any Receivership Entity controls.

II. BAN ON TELEMARKETING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, are permanently restrained and enjoined from Telemarketing or assisting

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[2] Unless otherwise specified in this or any other order of the Court, injunctive relief shall be permanent in nature and global in geographic application and unlimited in temporal application.

others in Telemarketing in any commercial enterprise whatsoever, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising.

III. PROHIBITION AGAINST MISREPRESENTATIONS IN THE SALE OF ANY GOOD OR SERVICE

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with advertising, marketing, promoting, or offering for sale any good or service of any nature whatsoever, are permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

A. That the use of a "no debt" business model makes an investment less risky than one in which an entity or individual must make payments to lenders;

B. That every dollar, or the vast majority of dollars, collected from selling the good or service will be used to develop the good or service;

C. That, unless guaranteed, the good or service will be completed or available within a specified period of time, such as a particular number of weeks, months, or years;

D. That, unless guaranteed, the good or service will feature specific amenities;

E. That consumers can realize the appreciation of their good or service because there is a robust resale market through which consumers can easily resell their good or service should they choose to do so;

F. That any particular person or entity has no meaningful involvement with the relevant business when the person or entity in fact does; and

G. That any other fact material to consumers concerning any good or service is true, if there is any basis for believing it is not true. This includes, as to any good or service: the total

costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

IV. EQUITABLE MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

A. Judgment in the amount of one hundred twenty million, two hundred thousand dollars ($120,200,000) is entered in favor of the FTC against Pukke and Baker, jointly and severally, as equitable monetary relief ("Equitable Monetary Judgment"). Judgment in the amount of ninety-one million, nine hundred and two thousand, seven hundred and twenty-five dollars and ninety-one cents ($91,902,725.91) is entered in favor of the FTC against Chadwick, jointly and severally with Pukke, Baker, Usher and the Defaulting Corporate Defendants.

B. In accordance with this Order, Pukke, Baker, and Chadwick, their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall transfer to the FTC within thirty (30) days all Assets (other than personal use real estate) subject to the direct or indirect control of Pukke, Baker, or Chadwick less than or equal to the Equitable Monetary Judgment (as reduced by the amounts, if any, already distributed to the FTC), regardless of where they are held and under what name they are held. This transfer shall be made by electronic fund transfer in accordance with instructions provided by a representative of the FTC. *Provided, however*, that Pukke, Baker, and Chadwick may each withhold no more than a total of $5,000 in such assets other than personal use real estate. If any of them intends to withhold any such funds, he shall within thirty (30) days of entry of this Order provide prior written notice to counsel for the FTC, sworn to under penalty of perjury, that he intends to withhold such Assets and shall submit a written report detailing the source (e.g., employment—and, if so, from what employment—or inheritance or gift—and, if so, from whom and when), the location, and the amount of the funds

being withheld. Should the FTC deem the proposed withholding inappropriate, it may move the Court for appropriate relief.

C. Pukke, Baker, and Chadwick shall forever relinquish and no longer have any rights to any and all Assets previously transferred in fact or by operation of law to the Receiver, pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, the Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or the Preliminary Injunction (ECF No. 615) entered on October 3, 2019 (including, without limitation, the Receivership Entities themselves). The Receiver shall retain possession or control of those Assets (including the Receivership Entities themselves) in accordance with the terms of the present Order and the Receiver shall marshal and then liquidate all such assets for the benefit of the FTC, in such sequence and at such time or times as the Receiver in its discretion shall deem appropriate. For clarity, these Assets (including the Receivership Entities themselves) are Receivership Assets. The Receivership Assets (including the Receivership Entities themselves and any Assets turned over to the Receiver in satisfaction of the Equitable Monetary Judgment) shall be held in constructive trust by the Receiver for the sole benefit of the FTC and lot purchasers at Sanctuary Belize, so that the Receiver can disburse assets to the lot purchasers.

D. Pukke, Baker, and Chadwick, and their officers, agents, employees, and attorneys, shall, within thirty (30) days of the entry of this Order, take all steps possible or necessary to transfer to the Receiver all Assets that Pukke, Baker, or Chadwick own or control, directly or indirectly, or which are held for their benefit, that exceed $2,500 in value (as determined by the Receiver) that they have not otherwise been ordered to transfer pursuant to paragraph B above. Said Defendants shall be entitled to the benefit of any homestead law provided by the State of California. Once the Receiver has disbursed to the FTC an amount equal to the Equitable Monetary Judgment, the provisions of this sub-paragraph IV.D shall no longer apply. For clarity, these Assets are Receivership Assets. Additionally, and also for clarity, Pukke, Baker, and

Chadwick each shall have an ongoing obligation, by the end of each calendar month, to apprise the FTC and Receiver of their total current income (and any change in income) and the acquisition of any additional Assets new or used, worth, or potentially worth, more than $2,500. Additionally, Pukke, Baker, and Chadwick each shall, within the same time period, report to the Receiver the acquisition, by any means, of any Asset that may be worth $2,500 or more. Pukke, Baker, and Chadwick each has ongoing obligations to transfer to the FTC, in accordance with instructions from an FTC representative, employment income in an amount up to the maximum allowed under 15 U.S.C. § 1673 (e.g., up to 25% of disposable earnings on a weekly basis), and shall transfer to the Receiver all other Assets, new or used, that they acquire or control, by any other means, valued at more than $2,500, as determined by the Receiver. For clarity, these provisions necessarily pertain to income and Assets acquired after the entry of this Order and these obligations shall continue in effect until the Receivership has been closed by the Court, the Equitable Monetary Judgment has been fully satisfied, or upon further Order of the Court. If, upon the closure of the Receivership the Equitable Monetary Judgment has not been satisfied, Pukke, Baker, and Chadwick each shall make the same reports detailed above to the FTC and, pursuant to instructions from an FTC representative, transfer income and assets to the FTC or for the FTC's benefit pursuant to those instructions. Pukke, Baker, and Chadwick shall make the required reports to the FTC by email to current FTC counsel of record as well as emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

> Associate Director for Enforcement, Bureau of Consumer Protection
> Federal Trade Commission,
> Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
> 600 Pennsylvania Avenue, NW
> Washington, DC 20580.

Within fourteen (14) days after receiving instructions from an FTC representative, Pukke, Baker, and Chadwick shall then transfer, liquidate, and/or dispose of the Asset(s) in accordance with the

FTC's instructions. All reports completed pursuant to this paragraph must be signed and sworn to under penalty of perjury.

E. Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall fully cooperate with and assist the FTC and the Receiver with the turnover of Assets pursuant to this Order, and are hereby restrained and enjoined from directly or indirectly:

1. Interfering with the FTC's and Receiver's efforts to manage, or take custody, control, or possession of, the Assets ordered to be turned over to the FTC or the Receiver;

2. Transacting any of the business of any Receivership Entity or any entity that itself is a Receivership Asset;

3. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any Assets ordered to be turned over to the FTC or the Receiver; or

4. Refusing to cooperate with the FTC or the Receiver, or the Receiver's duly authorized agents, in the exercise of their duties or authority under any order of this Court.

V. ADDITIONAL MONETARY PROVISIONS

A. Pukke, Baker, and Chadwick shall relinquish dominion and all legal and equitable right, title, and interest in all Assets turned over or relinquished pursuant to this Order and may not seek the return of any Assets, without prior authorization by the Court.

B. All money paid to the FTC pursuant to this Order may be deposited into a fund administered by the FTC or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. Said Defendants

shall have no right to challenge any actions the FTC or its representatives may take pursuant to this paragraph, nor may they otherwise challenge the ultimate disposition of the Assets turned over to the FTC or the Receiver.

C. Within thirty (30) days following the entry of this Order, Defendants Pukke, Baker, and Chadwick each shall complete and submit to the FTC and the Receiver the attached Financial Statement of Individual Defendant. Thereafter, Pukke, Baker, and Chadwick each shall recomplete and submit to the FTC and the Receiver the same form (or similar form to be provided by the FTC) upon one (1) year following the entry of this Order and must recomplete and submit to the FTC that same form every year thereafter until they receive notice from the FTC that they need not continue to complete such forms or they have satisfied in full the Equitable Monetary Judgment. Each such form must be submitted with all of the required and specified attachments. Each such form must be signed and sworn to under penalty of perjury. The forms must be submitted electronically to FTC counsel of record in this matter in a manner to be specified by FTC counsel. Additionally, the forms must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

> Associate Director for Enforcement, Bureau of Consumer Protection
> Federal Trade Commission
> Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
> 600 Pennsylvania Avenue, NW
> Washington, DC 20580.

D. The asset freeze imposed on Pukke, Baker, and Chadwick pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or Preliminary Injunction (ECF No. 615) entered on October 3, 2019, is hereby modified to the extent necessary to permit the transfers identified in the Equitable Monetary Judgment Section. Upon full satisfaction of the Equitable Monetary Judgment, the FTC shall make a full report of satisfaction, at which time the Court, upon review and approval of the report, shall dissolve the asset freeze.

E. Upon full satisfaction of the Equitable Monetary Judgment, closure of the Receivership, or a subsequent order of the Court, following formal notice by the Receiver to the Court that the Receiver is satisfied that Pukke and Baker have fully transferred to the Receivership all Assets that they hold greater in value than $2,500 (as determined by the Receiver), the Receiver shall return to Pukke and Baker any passports it holds in their names within thirty (30) days of the giving of notice. The FTC, Pukke, and Baker shall have an opportunity to comment upon such proposed transfer of passports. The return of a passport shall not be construed as a concession that Pukke or Baker has turned over all Assets he is required to turn over pursuant to this Order or that he has satisfied the Equitable Monetary Judgment.

VI. RECEIVER

IT IS FURTHER ORDERED that Robb Evans & Associates LLC is appointed as Receiver for all Assets ordered to be turned over to the Receiver pursuant to this Order. It shall have full powers of an equity receiver. The Receiver shall be solely the agent of this Court in acting as Receiver under this Order.

VII. DUTIES AND AUTHORITY OF RECEIVER

IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

A. Take exclusive control, custody, and possession of all Receivership Assets.

B. Conserve, hold, manage, and prevent the loss of all Receivership Assets, and perform all acts necessary or advisable to preserve the value of those Assets. The Receiver shall assume control over the income and profits therefrom and all sums of money now or hereafter due or owing to any entity that is a Receivership Asset or otherwise due or owing to Pukke, Baker, or Chadwick as a result of any Receivership Assets. The Receiver shall have full power to sue for, collect, and receive, all Receivership Assets. *Provided, however*, that the Receiver shall not, without prior Court approval, attempt to collect any amount from a consumer if the Receiver

believes the consumer's debt has resulted from deceptive acts or practices or other violations of law.

C. Liquidate, through fair market sales or similar transactions, all Receivership Assets, following a motion and order from the Court approving the sale or liquidation. The Receiver shall take steps to attempt to obtain the full fair market value of any Asset that is obtained by the Receivership estate in any sale or liquidation.

D. Disburse periodically to the FTC, lot purchasers, or other third parties as provided by separate Court order, less its Court-approved fees and expenses or reasonably anticipated potential expenses including, without limitation, expenses or liabilities not yet known at the time of the disbursements, as approved by the Court. At the time of a periodic disbursement to the FTC, the Receiver shall also disburse to the FTC the amount of any and all withheld prior anticipated potential expenses that were not in fact incurred.

E. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;

F. Make payments and disbursements from the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order, and to incur, or authorize the making of, such agreements as may be necessary and advisable in discharging his or her duties as Receiver. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred, except payments that the Receiver deems necessary or advisable to secure Receivership Assets, such as rental payments;

G. Enter into and cancel contracts and purchase insurance as advisable or necessary;

H. Prevent the inequitable distribution of Assets and determine, adjust, and protect tbe interests of consumers who have transacted business with Pukke, Baker, Chadwick, any entity that is a Receivership Asset, or the Receivership Entities;

I. Make an accounting, as soon as practicable, of the Receivership Assets and financial condition of the Receivership and file the accounting with the Court and deliver copies thereof to all parties;

J. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal, or foreign courts, or arbitration proceedings as the Receiver deems necessary and advisable to preserve or recover the Receivership Assets, or to carry out the Receiver's mandate under this Order, including but not limited to actions challenging fraudulent or voidable transfers;

K. Demand from any person or entity documents and records pertaining to the Receivership Assets within three (3) days after delivery of the Order by mail, courier, email, or other method by which the recipient receives a copy of this Order, in addition to obtaining discovery pursuant to the Federal Rules of Civil Procedure, including subpoenas seeking documents and/or testimony under Rule 45;

L. Open one or more bank accounts at designated depositories for funds of the Receivership estate. The Receiver shall deposit all funds of the Receivership estate in such designated accounts and shall make all payments and disbursements from the Receivership estate from such accounts. The Receiver shall serve copies of monthly account statements on all parties;

M. Maintain accurate records of all receipts and expenditures incurred as Receiver;

N. Cooperate with reasonable requests for information or assistance from any state or federal civil or criminal law enforcement agency;

O. Suspend business operations of any entity that is a Receivership Asset if in the judgment of the Receiver such operations cannot be continued legally and profitably; and

P. If in the Receiver's judgment the business operations of any Receivership Asset cannot be continued legally and profitably, take all steps necessary to ensure that any of the web

pages or websites relating to the activities of the Receivership Asset cannot be accessed by the public, or are modified for consumer education and/or informational purposes, and take all steps necessary to ensure that any telephone numbers associated with the Receivership Asset cannot be accessed by the public, or are answered solely to provide consumer education or information regarding the status of operations.

VIII. STAY OF ACTIONS

IT IS FURTHER ORDERED that, except by leave of this Court, during the pendency of the Receivership ordered herein, Defendants and their officers, agents, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, and their corporations, subsidiaries, divisions, or affiliates, and all investors, creditors, stockholders, lessors, customers and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of Defendants, and all others acting for or on behalf of such persons, are hereby enjoined from taking any action that would interfere with the exclusive jurisdiction of this Court over the Receivership Assets, including, but not limited to:

A. Filing or assisting in the filing of a petition for relief under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, or of any similar insolvency proceeding on behalf of any entity that is a Receivership Asset;

B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against any of the Receivership Assets or otherwise seeking an interest in any of the Receivership Assets, including the issuance or employment of process, except that such actions may be commenced if necessary to toll any applicable statute of limitations;

C. Filing or enforcing any lien on any Receivership Asset, taking or attempting to take possession, custody, or control of any Receivership Asset; or attempting to foreclose, forfeit, alter, or terminate any interest in any Receivership Asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise.

Provided, however, that this Order does not stay: (1) the commencement or continuation of a criminal action or proceeding; (2) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (3) the enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

IX. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Assets now held by, in the possession or control of, or which may be received by, the Receivership estate. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of entry of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court. Whenever the Receiver submits such a request for payment, or at other times within the Receiver's discretion, the Receiver shall also submit a report regarding: (1) the steps taken by the Temporary Receiver to implement the terms of this Order; (2) the value of all liquidated and unliquidated Receivership Assets; (3) the sum of all liabilities of any Receivership Asset; (4) the steps the Receiver intends to take in the future to (a) prevent any diminution in the value of the Receivership Assets and (b) acquire additional Assets from Pukke, Baker, Chadwick, or any other person or entity; and (5) any other matter which the Receiver believes should be brought to the Court's attention. *Provided, however*, if any of the required information would hinder the Receiver's ability to pursue Assets, the portions of the Receiver's

report containing such information may be redacted and be filed for the Court's benefit under seal without service on the parties.

X. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

A. Failing to provide sufficient customer information to enable the FTC to efficiently administer consumer redress. If a representative of the FTC requests in writing any information related to redress, Pukke, Baker, and Chadwick each shall provide it, in the form prescribed by the FTC, within fourteen (14) days.

B. Otherwise disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that Pukke, Baker, or Chadwick obtained prior to entry of this Order; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within thirty (30) days after receipt of written direction to do so from a representative of the FTC.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

XI. ACKNOWLEDGMENT OF RECEIPT OF ORDER

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall submit acknowledgments of receipt of this Order as follows:

A. Pukke, Baker, and Chadwick each shall, within seven (7) days of entry of this Order, submit to the FTC a written acknowledgment of receipt of this Order, sworn to under penalty of perjury.

B. For each of twenty (20) years after entry of this Order, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is the majority owner of, or controls directly or indirectly, said Defendant shall deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for marketing, sales, or operations; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery of a copy of this Order must occur within seven (7) days of entry of this Order for current personnel. For all others, Pukke, Baker, and Chadwick shall deliver a copy of this Order before they assume their responsibilities with any such business.

C. From each individual or entity to which Pukke, Baker, or Chadwick delivers a copy of this Order, that Defendant shall obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

XII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall make timely submissions to the FTC:

A. One year after entry of this Order, Pukke, Baker, and Chadwick shall each submit a compliance report, sworn to under penalty of perjury, which shall:

1. (a) identify their primary physical, postal address, email address, and telephone number, as designated points of contact, which representatives of the FTC may use to communicate with Defendant; (b) identify all of that Defendant's businesses, whether owned or controlled by them, directly or indirectly, giving all of their names, telephone numbers, and

physical, postal, email, and Internet addresses; (c) describe the activities of each such business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant (which each must describe the other Defendant in detail, including the other Defendant's title, position, compensation, and duties); (d) describe in detail whether and how each Defendant's involvement in each such business is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment sought and obtained pursuant to this Order, unless previously submitted to the FTC.

2. Additionally, in such compliance report, Pukke, Baker and Chadwick shall: (a) identify all telephone numbers and all their physical, postal, email and Internet addresses, including all residences used by them; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, whether directly or indirectly; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For each of twenty (20) years after entry of this Order, Pukke, Baker, and Chadwick each shall submit a compliance report, sworn to under penalty of perjury, within fourteen (14) days of any change in the following:

1. (a) any designated point of contact for them; or (b) the structure of any entity that Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including details as to the creation, merger, sale, or dissolution of the

entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each must report any change in: (a) name, including aliases or fictitious name, or residence address of the Defendant; or (b) any title or role in any business activity, including any business for which a Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Pukke, Baker, and Chadwick each shall submit to the FTC notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant, within fourteen (14) days of any such filing.

D. Any submission to the FTC required by this Order to be sworn under penalty of perjury must be true and accurate and must comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, the signatory's full name, title (if applicable), and signature.

E. Unless otherwise directed by an FTC representative in writing, all submissions to the FTC pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009.

F. Notwithstanding any other provision herein, Pukke must maintain the email address ekkup@msn.com, Baker must maintain the email address peterbakerx@gmail.com, and Chadwick must maintain the email address luketchadwick@gmail.com. Also notwithstanding

any other provision herein, service of any notice, process, or other item that requires any form of delivery shall be valid if the FTC serves it: (1) to the appropriate aforementioned email address of the Defendant; (2) to any other email address identified by the Defendant to whom service is directed; or (3) by any other method reasonably calculated to achieve actual notice to the Defendant.

XIII. ALIASES AND NOMINEES

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort in which Pukke, Baker, or Chadwick has consented to, or acquiesced to, the use of an alias or pseudonym by them, for them or for any individual associated with them and are further permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort through the use of nominees, strawmen, or any other manner by which their ownership or control is obscured or hidden.

XIV. RECORDKEEPING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick each shall create certain records for twenty (20) years after entry of the Order, and shall retain each such record for five (5) years. Specifically, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is a majority owner or controls directly or indirectly, each such business shall create and retain the following records:

A. accounting records showing the revenues from all goods or services sold;

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B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination of such person's services;

C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the FTC; and

E. a copy of each unique advertisement or other marketing material of the business.

XV. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring the compliance of Pukke, Baker, and Chadwick with this Order, including any failure on their part to transfer any assets as required by this Order or otherwise to collect on the Equitable Monetary Judgment:

A. Within fourteen (14) days of receipt of a written request from a representative of the FTC, each Defendant shall: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce appropriate documents for inspection and copying. The FTC is authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the FTC is authorized to communicate directly with Pukke, Baker, and Chadwick. Pukke, Baker, and Chadwick shall permit representatives of the FTC to interview any employee or other person affiliated with any entity any of them may own or control, directly or indirectly, who has agreed to such an interview. The person interviewed may have counsel present.

C. The FTC may use all other lawful means to interact with Pukke, Baker, Chadwick, or any individual or entity they are associated or affiliated with, including posing

undercover through its representatives, as consumers, suppliers, or other individuals or entities, without the necessity of identification or prior notice.

D. Nothing in this Order shall limit the FTC's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

E. Upon written request from a representative of the FTC, any consumer reporting agency must furnish consumer reports concerning Pukke, Baker, and Chadwick, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

F. As should already be clear, the parties must at all times act reasonably and in good faith. Unreasonable requests for information or unreasonable refusal to comply with such requests may result in sanctions, including the payment of attorneys' fees.

XVI. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED, this 24 day of March, 2021.

Peter Messitte

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

EXHIBIT 2

MGR | MOJDEHI GALVIN REGO

2550 Fifth Ave, Suite 910
San Diego, CA 92103

Allison M. Rego
858-754-6214
allison.rego@mgr-legal.com

April 10, 2026

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Centralized Lien Operation
P.O. Box 145595
Stop 8420G
Cincinnati, OH 45250-5595

Re: *In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX – Andris Pukke Tax Lien (Serial Number 344942019)

Dear Sir or Madam:

My firm represents the successor receiver appointed by the Federal District Court in the above-referenced case. We write to respectfully request clarification by June 10, 2026 of the IRS's position concerning the enclosed tax lien against Andris Pukke.

The receivership estate is not aware of whether Defendant Pukke (and/or any of the receivership entities) as of the date of this letter have outstanding tax obligations that are due and owing to the IRS under a tax lien (or otherwise) and in accordance with the analysis below, does not believe the receivership estate has responsibility for the tax lien in any event. However, since the administration of the estate on behalf of the victims in this matter is close to completion, we are writing in an abundance of caution to the extent it may be necessary to address potential IRS matters that could impact the estate before seeking the Court's approval to wind it down.

The FTC Enforcement Action

By way of background, the Sanctuary Belize civil enforcement case was commenced by the Federal Trade Commission ("FTC") on October 31, 2018. The FTC settled with certain defendants and prevailed on claims at trial against others, including Andris Pukke, establishing a far-reaching consumer fraud with respect to the sale of Belize land assets. The action resulted in a judgment exceeding $120 million. A copy of the final judgment against Defendant Pukke and certain of the other defendants is enclosed.

On November 5, 2018, the Court appointed a receiver to take control of and liquidate assets for the benefit of consumer victims, many of whom were retirees. The initial receiver appointed was Robb Evans & Associates LLC ("REA"). Following the passing of REA's principals, my client, Marc-Philip Ferzan of Ankura Consulting Group, LLC, was appointed as successor receiver on October 26, 2021.

To date, only approximately $33 million has been distributed to consumer victims in redress payments. Despite best efforts, consumers will not be made whole due to the scope and magnitude of defendants' misconduct. Indeed, Defendant Pukke was recently convicted for wire fraud and obstruction of justice in the U.S. District Court for the Southern District of New York and is currently incarcerated.

The Pukke Tax Lien

Anticipating the unfortunate likelihood that consumer victims would not be made whole, the FTC proposed a redress plan that prioritized payment to consumers ahead of non-consumer creditors.[1] To this end, the FTC's plan, consistent with the Department of Justic's directive, entitled *Tax Claims Against Embezzlers, Swindlers, Etc. v. Recovery by Investors, Dupes and Victims*[2], proposed that assets and funds recovered by the receivership estate would be held in a constructive trust for the benefit of the FTC and victims. The judgment against Defendant Pukke and others imposes a constructive trust (*see* enclosed Final Judgment, Section IV.C.). Based on applicable case law, a tax lien does not attach to receivership funds held in constructive trust.[3] As such, the receivership estate does not appear to be obligated to satisfy Defendant Pukke's tax lien.

In addition, the successor receiver is not aware of: (a) any property clawed back into the receivership estate that was titled in Defendant Pukke's name, or (b) the existence of bank accounts from which funds came into the receivership estate, wherein Defendant Pukke was a named signatory or beneficiary.

It is not apparent to the receiver that Defendant Pukke had any meaningful assets in his name during the existence of the receivership. In his recent criminal trial, for example, Defendant Pukke qualified for a public defender and it does not appear any assets were identified or seized in connection with the criminal forfeiture allegations in that proceeding. We additionally note that the successor receiver has not received outreach from the IRS concerning the tax lien and/or Defendant Pukke's personal tax obligations, despite the public nature of the proceedings against him.[4]

Request for Confirmation of No Claim Against Receivership Estate

As the successor receiver completes his responsibilities in the coming months and nears seeking the Court's approval to wind down the receivership estate, we request confirmation that the IRS is not asserting a claim against the estate and does not contend that the estate is responsible for satisfying Defendant Pukke's tax obligations generally and/or relative to those reflected in the tax lien, which includes assessments dating back more than 21 years. If the IRS believes it has any such claim, or that the receivership estate bears responsibility for Defendant Pukke and/or other

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[1] *See In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX, Docket Number 1117 (at 9-10), 1117-1 (at Section IX.A.).

[2] *See* https://www.justice.gov/sites/default/files/tax/legacy/2009/05/18/Z_Ponzi_schemes.pdf (last visited April 7, 2026).

[3] *See F.T.C. v. Crittenden*, 823 F. Supp. 699, 704 (C.D. Cal. 1993).

[4] Due to the assessments having been made more than ten years ago, the statute of limitations may have run with respect to a potential claim.

receivership entity tax obligations, please provide written notice of the claim(s) and corresponding basis by no later than June 10, 2026.

We would appreciate the opportunity to resolve any issues promptly before seeking the Court's approval for closure of the receivership estate.[5]

Sincerely,

MOJDEHI GALVIN REGO, LLP

Allison M. Rego

Encl.

[5] My office has also contacted the following: Kenneth Kies, Chief Counsel (Acting), 1111 Constitution Avenue NW, Washington, DC 20224; Frank J. Bisignano, Chief Executive Officer, 1111 Constitution Avenue NW, Washington, DC 20224; Kenneth Corbin, Chief Taxpayer Services, 401 W. Peachtree Street, NW, Atlanta, GA 30308. We are unclear as to the most appropriate contact given the dissolution of the Department of Justice Tax Division in late 2025.

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Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE
PO BOX 145595, STOP 8420G
CINCINNATI, OH 45250-5585

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder
9.00
* $ R 0 0 1 0 6 8 2 7 0 8 $ *
2019000071625 12:02 pm 03/07/19
65 406 N32 1
0.00 0.00 0.00 0.00 0.00 0.00 0.000.000.00 3.00

Form 668 (Y)(c) (Rev. February 2004)

1748 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area: SMALL BUSINESS/SELF EMPLOYED AREA #7
Lien Unit Phone: (800) 913-6050

Serial Number 344942019

TI
10
FF

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ANDRIS N PUKKE

Residence 427 E 17TH ST STE F
COSTA MESA H, CA 92627-4748

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2003	XXX-XX-2778	02/14/2005	03/16/2025	2107026.29
1040	12/31/2006	XXX-XX-2778	09/20/2010	10/20/2020	792.93

Place of Filing

COUNTY RECORDER
ORANGE COUNTY
SANTA ANA, CA 92702

Total $ 2107819.22

This notice was prepared and signed at OAKLAND, CA, on this, the 26th day of February, 2019.

Signature Joan Flack
for GRACE SANTACRUZ

Title
ACS W&I 15-00-0000
(800) 829-7650

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Form **668(Y)(c)** (Rev. 2-2004)
CAT. NO 60025X

Description: Orange,CA Document - Year.DocID 2019.71625 Page: 1 of 1
Order: 350-2263485-11 Comment:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

In re **SANCTUARY BELIZE LITIGATION**	* * * * * * * * * *	Civil No. **PJM 18-3309**

AMENDED FINAL
ORDER FOR PERMANENT INJUNCTION AND MONETARY JUDGMENT AGAINST DEFENDANTS ANDRIS PUKKE, PETER BAKER, AND LUKE CHADWICK

The Federal Trade Commission ("FTC") has filed an Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, alleging that Defendants Andris Pukke, Peter Baker, and Luke Chadwick violated the FTC Act and the Telemarketing Sales Rule through the deceptive marketing of lots in a development known variously as Sanctuary Bay, Sanctuary Belize, and The Reserve (for ease, "Sanctuary Belize"). Following a trial on the merits, which commenced on January 22, 2020 and concluded on February 12, 2020, and as detailed in the accompanying Memorandum Opinion dated August 28, 2020, the Court has found Pukke, Baker, and Chadwick liable on all counts. To the extent necessary, the Court amends the allegations in the Amended Complaint to conform to the proof at trial. The Court's reasoning and specific findings are detailed in the Memorandum Opinion dated August 28, 2020.

IT IS THEREFORE ORDERED:

FINDINGS

1. This Court has jurisdiction over this matter.

2. The Amended Complaint charges that Andris Pukke, Peter Baker, and Luke Chadwick, along with their fellow Defendants, controlled and participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, as well as in violation of the Telemarketing Sales Rule, 16 C.F.R. Part 310, in connection with the sale of lots in a development in Belize known as Sanctuary Belize.

3. Although the relevant Findings of Fact are more fully set out in the accompanying Memorandum Opinion, and are incorporated herein, the Court makes the following Findings in accordance with that Opinion:

a. Since 2005, Pukke, Baker, and their co-Defendants have sold lots in the development known by various names and identified herein as Sanctuary Belize.

b. For his part, Luke Chadwick controlled or participated in these acts or practices commencing in 2008.

c. Following the 2008 settlement between the Receiver and Sittee River Wildlife Reserve, Pukke, Baker, and Chadwick took steps to hide Andris Pukke's involvement in Sanctuary Belize, including through Pukke's use of aliases such as "Marc Romeo" and "Andy Storm."

d. Under the control of Pukke, Baker and Chadwick, and frequently with their direct participation, all Corporate Defendants and Individual Defendants participated in the sale of Sanctuary Belize lots through telemarketers in the United States, while making the following claims, all of which were and are false and material:

i. That Defendants used a "no debt" business model to develop Sanctuary Belize which would make lots in Sanctuary Belize a less risky investment than one in which the developer would make payments to lenders;

ii. That every dollar Defendants collected from Sanctuary Belize lot sales would go back into the development;

iii. That Defendants would finish Sanctuary Belize quickly, including within two to three years, or within five years;

iv. That the finished Sanctuary Belize would have all of the amenities expected of an American luxury resort community, such as: (i) a hospital staffed with American physicians and nurses near the development; (ii) an emergency medical center near the downtown "Marina Village;" (iii) a championship-caliber golf course; (iv) a local airport within the development; (v) a new international airport nearby with direct flights to and from the United States; (vi) a "Marina Village" containing high-end boutiques, restaurants, cafes, an American-style grocery store, an elegant casino, and a hotel; and (vii) a 250-slip world-class marina;

v. That consumers could realize the rapid appreciation of their lots within Sanctuary Belize because there is a robust resale market through which consumers could easily resell their lots should they choose to do so; and

vi. That Andris Pukke has had no meaningful involvement with Sanctuary Belize or with the Defaulting Corporate Defendants.[1]

[1] Defendants also made a claim that lots sold to purchasers would appreciate in value from 100% to 500% within two to three years. As set forth in the Memorandum Opinion, the Court did not find this claim to be a violation of the FTC Act or the TSR.

e. These representations were likely to mislead consumers acting reasonably under the circumstances, these representations were material, and consumers relied on these representations.

f. Except for Atlantic International Bank, the Corporate Defendants (including Defaulting Defendants) operated as a common enterprise ("SBE") in making these claims.

g. SBE initiates or receives interstate telephone calls from consumers as part of a program to sell services to those consumers.

h. SBE offers to provide goods and services through telemarketing.

i. Pukke, Baker, Usher, and Chadwick knew or should have known that the claims identified were false at the time they were made, or were at the least recklessly indifferent to the truth of the claims.

j. As a result of these false claims, consumers paid the Defendants at least one hundred twenty million, two hundred thousand dollars ($120,200,000).

k. Usher and the Defaulting Corporate Defendants are jointly and severally liable with Pukke, Baker, Usher and to an extent, Chadwick.

DEFINITIONS

A. **"Asset"** means any legal or equitable interest in, right to, or claim to, any property, wherever located and by whomever held, whether tangible, intangible, digital, or otherwise, including, but not limited to, digital currencies, virtual currencies, digital tokens, and cryptocurrencies. For clarity, "Asset" includes Receivership Entities themselves, in addition to rights and things the Receivership Entities control.

B. **"Corporate Defendant(s)"** means Global Property Alliance, Inc., Sittee River Wildlife Reserve, Buy Belize, LLC, Buy International, Inc., Foundation Development Management, Inc., Eco-Futures Development, Eco-Futures Belize Limited, Newport Land Group

LLC, Power Haus Marketing, Sanctuary Belize Property Owners' Association, Prodigy Management Group LLC, Foundation Partners, BG Marketing, LLC, Ecological Fox, LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, and Atlantic International Bank Ltd. and each of their subsidiaries, affiliates, successors, and assigns, collectively, individually, or in any combination.

C. **"Defendant(s)"** means the Corporate Defendants, Individual Defendants, and Relief Defendants, collectively, individually, or in any combination.

D. **"Individual Defendant(s)"** means Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Rod Kazazi, Brandi Greenfield, Frank Costanzo, and Michael Santos collectively, individually, or in any combination.

E. **"Real Estate Good or Service"** means any interest in, service related to, or development of, any real estate containing or involving three or more lots or units of any kind.

F. **"Receiver"** means the receiver appointed in Section VI of this Order and any deputy receivers who shall be named by the temporary receiver.

G. **"Receivership Asset"** means any and all Assets ordered to be turned over or relinquished to the Receiver pursuant to this Order.

H. **"Receivership Entities"** means the Corporate Defendants (except Atlantic International Bank, Ltd., Ecological Fox, LLC, BG Marketing, LLC, and Foundation Partners), 2729 Bristol LLC, and 3905 Marcus LLC, as well as any other entity that: (1) was located at, registered to, or operated from 3333 Michelson Drive, Suite 500, Irvine, California as of November 7, 2018, and assists, facilitates, or otherwise conducts business related to the sale of real estate in Belize; (2) assists, facilitates, or otherwise conducts business related to the acts identified in the Findings of Fact in this Order, and is owned or controlled by any Defendant; or (3) Assets that are otherwise in the Receivership and that are corporations or other legal entities.

I. **"Relief Defendant(s)"** means Angela Chittenden, Beach Bunny Holdings LLC, the Estate of John Pukke, John Vipulis, and Deborah Connelly.

J. **"Telemarketing"** means any plan, program, or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the Telemarketing Sales Rule.

ORDER[2]

I. BAN ON REAL ESTATE GOODS AND SERVICES

IT IS ORDERED that Pukke, individually, collectively, or in any combination, is permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale, or assisting others in the advertising, marketing, promoting, or offering for sale of any Real Estate Good or Service, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising. Further, Baker and Chadwick, individually, collectively, or in any combination, are permanently restrained and enjoined from any involvement with Sanctuary Belize or any future incarnation. Additionally, Baker and Chadwick, individually, collectively, or in any combination, are also permanently restrained and enjoined from any involvement with the development known as "Kanantik" or any future incarnation. Nothing herein prohibits the Receiver or any transferee of the Receiver from selling any Receivership Asset, including any Receivership Asset any Receivership Entity controls.

II. BAN ON TELEMARKETING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, are permanently restrained and enjoined from Telemarketing or assisting

[2] Unless otherwise specified in this or any other order of the Court, injunctive relief shall be permanent in nature and global in geographic application and unlimited in temporal application.

others in Telemarketing in any commercial enterprise whatsoever, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising.

III. PROHIBITION AGAINST MISREPRESENTATIONS IN THE SALE OF ANY GOOD OR SERVICE

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with advertising, marketing, promoting, or offering for sale any good or service of any nature whatsoever, are permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

A. That the use of a "no debt" business model makes an investment less risky than one in which an entity or individual must make payments to lenders;

B. That every dollar, or the vast majority of dollars, collected from selling the good or service will be used to develop the good or service;

C. That, unless guaranteed, the good or service will be completed or available within a specified period of time, such as a particular number of weeks, months, or years;

D. That, unless guaranteed, the good or service will feature specific amenities;

E. That consumers can realize the appreciation of their good or service because there is a robust resale market through which consumers can easily resell their good or service should they choose to do so;

F. That any particular person or entity has no meaningful involvement with the relevant business when the person or entity in fact does; and

G. That any other fact material to consumers concerning any good or service is true, if there is any basis for believing it is not true. This includes, as to any good or service: the total

costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

IV. EQUITABLE MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

A. Judgment in the amount of one hundred twenty million, two hundred thousand dollars ($120,200,000) is entered in favor of the FTC against Pukke and Baker, jointly and severally, as equitable monetary relief ("Equitable Monetary Judgment"). Judgment in the amount of ninety-one million, nine hundred and two thousand, seven hundred and twenty-five dollars and ninety-one cents ($91,902,725.91) is entered in favor of the FTC against Chadwick, jointly and severally with Pukke, Baker, Usher and the Defaulting Corporate Defendants.

B. In accordance with this Order, Pukke, Baker, and Chadwick, their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall transfer to the FTC within thirty (30) days all Assets (other than personal use real estate) subject to the direct or indirect control of Pukke, Baker, or Chadwick less than or equal to the Equitable Monetary Judgment (as reduced by the amounts, if any, already distributed to the FTC), regardless of where they are held and under what name they are held. This transfer shall be made by electronic fund transfer in accordance with instructions provided by a representative of the FTC. *Provided, however*, that Pukke, Baker, and Chadwick may each withhold no more than a total of $5,000 in such assets other than personal use real estate. If any of them intends to withhold any such funds, he shall within thirty (30) days of entry of this Order provide prior written notice to counsel for the FTC, sworn to under penalty of perjury, that he intends to withhold such Assets and shall submit a written report detailing the source (e.g., employment—and, if so, from what employment—or inheritance or gift—and, if so, from whom and when), the location, and the amount of the funds

being withheld. Should the FTC deem the proposed withholding inappropriate, it may move the Court for appropriate relief.

C. Pukke, Baker, and Chadwick shall forever relinquish and no longer have any rights to any and all Assets previously transferred in fact or by operation of law to the Receiver, pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, the Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or the Preliminary Injunction (ECF No. 615) entered on October 3, 2019 (including, without limitation, the Receivership Entities themselves). The Receiver shall retain possession or control of those Assets (including the Receivership Entities themselves) in accordance with the terms of the present Order and the Receiver shall marshal and then liquidate all such assets for the benefit of the FTC, in such sequence and at such time or times as the Receiver in its discretion shall deem appropriate. For clarity, these Assets (including the Receivership Entities themselves) are Receivership Assets. The Receivership Assets (including the Receivership Entities themselves and any Assets turned over to the Receiver in satisfaction of the Equitable Monetary Judgment) shall be held in constructive trust by the Receiver for the sole benefit of the FTC and lot purchasers at Sanctuary Belize, so that the Receiver can disburse assets to the lot purchasers.

D. Pukke, Baker, and Chadwick, and their officers, agents, employees, and attorneys, shall, within thirty (30) days of the entry of this Order, take all steps possible or necessary to transfer to the Receiver all Assets that Pukke, Baker, or Chadwick own or control, directly or indirectly, or which are held for their benefit, that exceed $2,500 in value (as determined by the Receiver) that they have not otherwise been ordered to transfer pursuant to paragraph B above. Said Defendants shall be entitled to the benefit of any homestead law provided by the State of California. Once the Receiver has disbursed to the FTC an amount equal to the Equitable Monetary Judgment, the provisions of this sub-paragraph IV.D shall no longer apply. For clarity, these Assets are Receivership Assets. Additionally, and also for clarity, Pukke, Baker, and

Chadwick each shall have an ongoing obligation, by the end of each calendar month, to apprise the FTC and Receiver of their total current income (and any change in income) and the acquisition of any additional Assets new or used, worth, or potentially worth, more than $2,500. Additionally, Pukke, Baker, and Chadwick each shall, within the same time period, report to the Receiver the acquisition, by any means, of any Asset that may be worth $2,500 or more. Pukke, Baker, and Chadwick each has ongoing obligations to transfer to the FTC, in accordance with instructions from an FTC representative, employment income in an amount up to the maximum allowed under 15 U.S.C. § 1673 (e.g., up to 25% of disposable earnings on a weekly basis), and shall transfer to the Receiver all other Assets, new or used, that they acquire or control, by any other means, valued at more than $2,500, as determined by the Receiver. For clarity, these provisions necessarily pertain to income and Assets acquired after the entry of this Order and these obligations shall continue in effect until the Receivership has been closed by the Court, the Equitable Monetary Judgment has been fully satisfied, or upon further Order of the Court. If, upon the closure of the Receivership the Equitable Monetary Judgment has not been satisfied, Pukke, Baker, and Chadwick each shall make the same reports detailed above to the FTC and, pursuant to instructions from an FTC representative, transfer income and assets to the FTC or for the FTC's benefit pursuant to those instructions. Pukke, Baker, and Chadwick shall make the required reports to the FTC by email to current FTC counsel of record as well as emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

> Associate Director for Enforcement, Bureau of Consumer Protection
> Federal Trade Commission,
> Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
> 600 Pennsylvania Avenue, NW
> Washington, DC 20580.

Within fourteen (14) days after receiving instructions from an FTC representative, Pukke, Baker, and Chadwick shall then transfer, liquidate, and/or dispose of the Asset(s) in accordance with the

FTC's instructions. All reports completed pursuant to this paragraph must be signed and sworn to under penalty of perjury.

E. Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall fully cooperate with and assist the FTC and the Receiver with the turnover of Assets pursuant to this Order, and are hereby restrained and enjoined from directly or indirectly:

1. Interfering with the FTC's and Receiver's efforts to manage, or take custody, control, or possession of, the Assets ordered to be turned over to the FTC or the Receiver;

2. Transacting any of the business of any Receivership Entity or any entity that itself is a Receivership Asset;

3. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any Assets ordered to be turned over to the FTC or the Receiver; or

4. Refusing to cooperate with the FTC or the Receiver, or the Receiver's duly authorized agents, in the exercise of their duties or authority under any order of this Court.

V. ADDITIONAL MONETARY PROVISIONS

A. Pukke, Baker, and Chadwick shall relinquish dominion and all legal and equitable right, title, and interest in all Assets turned over or relinquished pursuant to this Order and may not seek the return of any Assets, without prior authorization by the Court.

B. All money paid to the FTC pursuant to this Order may be deposited into a fund administered by the FTC or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. Said Defendants

shall have no right to challenge any actions the FTC or its representatives may take pursuant to this paragraph, nor may they otherwise challenge the ultimate disposition of the Assets turned over to the FTC or the Receiver.

C. Within thirty (30) days following the entry of this Order, Defendants Pukke, Baker, and Chadwick each shall complete and submit to the FTC and the Receiver the attached Financial Statement of Individual Defendant. Thereafter, Pukke, Baker, and Chadwick each shall recomplete and submit to the FTC and the Receiver the same form (or similar form to be provided by the FTC) upon one (1) year following the entry of this Order and must recomplete and submit to the FTC that same form every year thereafter until they receive notice from the FTC that they need not continue to complete such forms or they have satisfied in full the Equitable Monetary Judgment. Each such form must be submitted with all of the required and specified attachments. Each such form must be signed and sworn to under penalty of perjury. The forms must be submitted electronically to FTC counsel of record in this matter in a manner to be specified by FTC counsel. Additionally, the forms must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

Associate Director for Enforcement, Bureau of Consumer Protection
Federal Trade Commission
Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
600 Pennsylvania Avenue, NW
Washington, DC 20580.

D. The asset freeze imposed on Pukke, Baker, and Chadwick pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or Preliminary Injunction (ECF No. 615) entered on October 3, 2019, is hereby modified to the extent necessary to permit the transfers identified in the Equitable Monetary Judgment Section. Upon full satisfaction of the Equitable Monetary Judgment, the FTC shall make a full report of satisfaction, at which time the Court, upon review and approval of the report, shall dissolve the asset freeze.

E. Upon full satisfaction of the Equitable Monetary Judgment, closure of the Receivership, or a subsequent order of the Court, following formal notice by the Receiver to the Court that the Receiver is satisfied that Pukke and Baker have fully transferred to the Receivership all Assets that they hold greater in value than $2,500 (as determined by the Receiver), the Receiver shall return to Pukke and Baker any passports it holds in their names within thirty (30) days of the giving of notice. The FTC, Pukke, and Baker shall have an opportunity to comment upon such proposed transfer of passports. The return of a passport shall not be construed as a concession that Pukke or Baker has turned over all Assets he is required to turn over pursuant to this Order or that he has satisfied the Equitable Monetary Judgment.

VI. RECEIVER

IT IS FURTHER ORDERED that Robb Evans & Associates LLC is appointed as Receiver for all Assets ordered to be turned over to the Receiver pursuant to this Order. It shall have full powers of an equity receiver. The Receiver shall be solely the agent of this Court in acting as Receiver under this Order.

VII. DUTIES AND AUTHORITY OF RECEIVER

IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

A. Take exclusive control, custody, and possession of all Receivership Assets.

B. Conserve, hold, manage, and prevent the loss of all Receivership Assets, and perform all acts necessary or advisable to preserve the value of those Assets. The Receiver shall assume control over the income and profits therefrom and all sums of money now or hereafter due or owing to any entity that is a Receivership Asset or otherwise due or owing to Pukke, Baker, or Chadwick as a result of any Receivership Assets. The Receiver shall have full power to sue for, collect, and receive, all Receivership Assets. *Provided, however*, that the Receiver shall not, without prior Court approval, attempt to collect any amount from a consumer if the Receiver

believes the consumer's debt has resulted from deceptive acts or practices or other violations of law.

C. Liquidate, through fair market sales or similar transactions, all Receivership Assets, following a motion and order from the Court approving the sale or liquidation. The Receiver shall take steps to attempt to obtain the full fair market value of any Asset that is obtained by the Receivership estate in any sale or liquidation.

D. Disburse periodically to the FTC, lot purchasers, or other third parties as provided by separate Court order, less its Court-approved fees and expenses or reasonably anticipated potential expenses including, without limitation, expenses or liabilities not yet known at the time of the disbursements, as approved by the Court. At the time of a periodic disbursement to the FTC, the Receiver shall also disburse to the FTC the amount of any and all withheld prior anticipated potential expenses that were not in fact incurred.

E. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;

F. Make payments and disbursements from the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order, and to incur, or authorize the making of, such agreements as may be necessary and advisable in discharging his or her duties as Receiver. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred, except payments that the Receiver deems necessary or advisable to secure Receivership Assets, such as rental payments;

G. Enter into and cancel contracts and purchase insurance as advisable or necessary;

H. Prevent the inequitable distribution of Assets and determine, adjust, and protect tbe interests of consumers who have transacted business with Pukke, Baker, Chadwick, any entity that is a Receivership Asset, or the Receivership Entities;

I. Make an accounting, as soon as practicable, of the Receivership Assets and financial condition of the Receivership and file the accounting with the Court and deliver copies thereof to all parties;

J. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal, or foreign courts, or arbitration proceedings as the Receiver deems necessary and advisable to preserve or recover the Receivership Assets, or to carry out the Receiver's mandate under this Order, including but not limited to actions challenging fraudulent or voidable transfers;

K. Demand from any person or entity documents and records pertaining to the Receivership Assets within three (3) days after delivery of the Order by mail, courier, email, or other method by which the recipient receives a copy of this Order, in addition to obtaining discovery pursuant to the Federal Rules of Civil Procedure, including subpoenas seeking documents and/or testimony under Rule 45;

L. Open one or more bank accounts at designated depositories for funds of the Receivership estate. The Receiver shall deposit all funds of the Receivership estate in such designated accounts and shall make all payments and disbursements from the Receivership estate from such accounts. The Receiver shall serve copies of monthly account statements on all parties;

M. Maintain accurate records of all receipts and expenditures incurred as Receiver;

N. Cooperate with reasonable requests for information or assistance from any state or federal civil or criminal law enforcement agency;

O. Suspend business operations of any entity that is a Receivership Asset if in the judgment of the Receiver such operations cannot be continued legally and profitably; and

P. If in the Receiver's judgment the business operations of any Receivership Asset cannot be continued legally and profitably, take all steps necessary to ensure that any of the web

pages or websites relating to the activities of the Receivership Asset cannot be accessed by the public, or are modified for consumer education and/or informational purposes, and take all steps necessary to ensure that any telephone numbers associated with the Receivership Asset cannot be accessed by the public, or are answered solely to provide consumer education or information regarding the status of operations.

VIII. STAY OF ACTIONS

IT IS FURTHER ORDERED that, except by leave of this Court, during the pendency of the Receivership ordered herein, Defendants and their officers, agents, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, and their corporations, subsidiaries, divisions, or affiliates, and all investors, creditors, stockholders, lessors, customers and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of Defendants, and all others acting for or on behalf of such persons, are hereby enjoined from taking any action that would interfere with the exclusive jurisdiction of this Court over the Receivership Assets, including, but not limited to:

A. Filing or assisting in the filing of a petition for relief under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, or of any similar insolvency proceeding on behalf of any entity that is a Receivership Asset;

B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against any of the Receivership Assets or otherwise seeking an interest in any of the Receivership Assets, including the issuance or employment of process, except that such actions may be commenced if necessary to toll any applicable statute of limitations;

C. Filing or enforcing any lien on any Receivership Asset, taking or attempting to take possession, custody, or control of any Receivership Asset; or attempting to foreclose, forfeit, alter, or terminate any interest in any Receivership Asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise.

Provided, however, that this Order does not stay: (1) the commencement or continuation of a criminal action or proceeding; (2) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (3) the enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

IX. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Assets now held by, in the possession or control of, or which may be received by, the Receivership estate. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of entry of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court. Whenever the Receiver submits such a request for payment, or at other times within the Receiver's discretion, the Receiver shall also submit a report regarding: (1) the steps taken by the Temporary Receiver to implement the terms of this Order; (2) the value of all liquidated and unliquidated Receivership Assets; (3) the sum of all liabilities of any Receivership Asset; (4) the steps the Receiver intends to take in the future to (a) prevent any diminution in the value of the Receivership Assets and (b) acquire additional Assets from Pukke, Baker, Chadwick, or any other person or entity; and (5) any other matter which the Receiver believes should be brought to the Court's attention. *Provided, however*, if any of the required information would hinder the Receiver's ability to pursue Assets, the portions of the Receiver's

report containing such information may be redacted and be filed for the Court's benefit under seal without service on the parties.

X. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

A. Failing to provide sufficient customer information to enable the FTC to efficiently administer consumer redress. If a representative of the FTC requests in writing any information related to redress, Pukke, Baker, and Chadwick each shall provide it, in the form prescribed by the FTC, within fourteen (14) days.

B. Otherwise disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that Pukke, Baker, or Chadwick obtained prior to entry of this Order; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within thirty (30) days after receipt of written direction to do so from a representative of the FTC.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

XI. ACKNOWLEDGMENT OF RECEIPT OF ORDER

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall submit acknowledgments of receipt of this Order as follows:

A. Pukke, Baker, and Chadwick each shall, within seven (7) days of entry of this Order, submit to the FTC a written acknowledgment of receipt of this Order, sworn to under penalty of perjury.

B. For each of twenty (20) years after entry of this Order, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is the majority owner of, or controls directly or indirectly, said Defendant shall deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for marketing, sales, or operations; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery of a copy of this Order must occur within seven (7) days of entry of this Order for current personnel. For all others, Pukke, Baker, and Chadwick shall deliver a copy of this Order before they assume their responsibilities with any such business.

C. From each individual or entity to which Pukke, Baker, or Chadwick delivers a copy of this Order, that Defendant shall obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

XII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall make timely submissions to the FTC:

A. One year after entry of this Order, Pukke, Baker, and Chadwick shall each submit a compliance report, sworn to under penalty of perjury, which shall:

1. (a) identify their primary physical, postal address, email address, and telephone number, as designated points of contact, which representatives of the FTC may use to communicate with Defendant; (b) identify all of that Defendant's businesses, whether owned or controlled by them, directly or indirectly, giving all of their names, telephone numbers, and

physical, postal, email, and Internet addresses; (c) describe the activities of each such business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant (which each must describe the other Defendant in detail, including the other Defendant's title, position, compensation, and duties); (d) describe in detail whether and how each Defendant's involvement in each such business is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment sought and obtained pursuant to this Order, unless previously submitted to the FTC.

2. Additionally, in such compliance report, Pukke, Baker and Chadwick shall: (a) identify all telephone numbers and all their physical, postal, email and Internet addresses, including all residences used by them; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, whether directly or indirectly; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For each of twenty (20) years after entry of this Order, Pukke, Baker, and Chadwick each shall submit a compliance report, sworn to under penalty of perjury, within fourteen (14) days of any change in the following:

1. (a) any designated point of contact for them; or (b) the structure of any entity that Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including details as to the creation, merger, sale, or dissolution of the

entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each must report any change in: (a) name, including aliases or fictitious name, or residence address of the Defendant; or (b) any title or role in any business activity, including any business for which a Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Pukke, Baker, and Chadwick each shall submit to the FTC notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant, within fourteen (14) days of any such filing.

D. Any submission to the FTC required by this Order to be sworn under penalty of perjury must be true and accurate and must comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, the signatory's full name, title (if applicable), and signature.

E. Unless otherwise directed by an FTC representative in writing, all submissions to the FTC pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009.

F. Notwithstanding any other provision herein, Pukke must maintain the email address ekkup@msn.com, Baker must maintain the email address peterbakerx@gmail.com, and Chadwick must maintain the email address luketchadwick@gmail.com. Also notwithstanding

any other provision herein, service of any notice, process, or other item that requires any form of delivery shall be valid if the FTC serves it: (1) to the appropriate aforementioned email address of the Defendant; (2) to any other email address identified by the Defendant to whom service is directed; or (3) by any other method reasonably calculated to achieve actual notice to the Defendant.

XIII. ALIASES AND NOMINEES

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort in which Pukke, Baker, or Chadwick has consented to, or acquiesced to, the use of an alias or pseudonym by them, for them or for any individual associated with them and are further permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort through the use of nominees, strawmen, or any other manner by which their ownership or control is obscured or hidden.

XIV. RECORDKEEPING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick each shall create certain records for twenty (20) years after entry of the Order, and shall retain each such record for five (5) years. Specifically, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is a majority owner or controls directly or indirectly, each such business shall create and retain the following records:

A. accounting records showing the revenues from all goods or services sold;

B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination of such person's services;

C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the FTC; and

E. a copy of each unique advertisement or other marketing material of the business.

XV. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring the compliance of Pukke, Baker, and Chadwick with this Order, including any failure on their part to transfer any assets as required by this Order or otherwise to collect on the Equitable Monetary Judgment:

A. Within fourteen (14) days of receipt of a written request from a representative of the FTC, each Defendant shall: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce appropriate documents for inspection and copying. The FTC is authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the FTC is authorized to communicate directly with Pukke, Baker, and Chadwick. Pukke, Baker, and Chadwick shall permit representatives of the FTC to interview any employee or other person affiliated with any entity any of them may own or control, directly or indirectly, who has agreed to such an interview. The person interviewed may have counsel present.

C. The FTC may use all other lawful means to interact with Pukke, Baker, Chadwick, or any individual or entity they are associated or affiliated with, including posing

undercover through its representatives, as consumers, suppliers, or other individuals or entities, without the necessity of identification or prior notice.

D. Nothing in this Order shall limit the FTC's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

E. Upon written request from a representative of the FTC, any consumer reporting agency must furnish consumer reports concerning Pukke, Baker, and Chadwick, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

F. As should already be clear, the parties must at all times act reasonably and in good faith. Unreasonable requests for information or unreasonable refusal to comply with such requests may result in sanctions, including the payment of attorneys' fees.

XVI. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED, this 24 day of March, 2021.

Peter Messitte

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

EXHIBIT 3

MGR | MOJDEHI GALVIN REGO

2550 Fifth Ave, Suite 910
San Diego, CA 92103

Allison M. Rego
858-754-6214
allison.rego@mgr-legal.com

April 10, 2026

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Frank J. Bisignano
Chief Executive Officer
1111 Constitution Avenue NW
Washington, DC 20224

Re: *In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX – Andris Pukke Tax Lien (Serial Number 344942019)

Dear Mr. Bisignano:

My firm represents the successor receiver appointed by the Federal District Court in the above-referenced case. We write to respectfully request clarification by June 10, 2026 of the IRS's position concerning the enclosed tax lien against Andris Pukke.

The receivership estate is not aware of whether Defendant Pukke (and/or any of the receivership entities) as of the date of this letter have outstanding tax obligations that are due and owing to the IRS under a tax lien (or otherwise) and in accordance with the analysis below, does not believe the receivership estate has responsibility for the tax lien in any event. However, since the administration of the estate on behalf of the victims in this matter is close to completion, we are writing in an abundance of caution to the extent it may be necessary to address potential IRS matters that could impact the estate before seeking the Court's approval to wind it down.

The FTC Enforcement Action

By way of background, the Sanctuary Belize civil enforcement case was commenced by the Federal Trade Commission ("FTC") on October 31, 2018. The FTC settled with certain defendants and prevailed on claims at trial against others, including Andris Pukke, establishing a far-reaching consumer fraud with respect to the sale of Belize land assets. The action resulted in a judgment exceeding $120 million. A copy of the final judgment against Defendant Pukke and certain of the other defendants is enclosed.

On November 5, 2018, the Court appointed a receiver to take control of and liquidate assets for the benefit of consumer victims, many of whom were retirees. The initial receiver appointed was Robb Evans & Associates LLC ("REA"). Following the passing of REA's principals, my client, Marc-Philip Ferzan of Ankura Consulting Group, LLC, was appointed as successor receiver on October 26, 2021.

To date, only approximately $33 million has been distributed to consumer victims in redress payments. Despite best efforts, consumers will not be made whole due to the scope and magnitude of defendants' misconduct. Indeed, Defendant Pukke was recently convicted for wire fraud and obstruction of justice in the U.S. District Court for the Southern District of New York and is currently incarcerated.

The Pukke Tax Lien

Anticipating the unfortunate likelihood that consumer victims would not be made whole, the FTC proposed a redress plan that prioritized payment to consumers ahead of non-consumer creditors.[1] To this end, the FTC's plan, consistent with the Department of Justic's directive, entitled *Tax Claims Against Embezzlers, Swindlers, Etc. v. Recovery by Investors, Dupes and Victims*[2], proposed that assets and funds recovered by the receivership estate would be held in a constructive trust for the benefit of the FTC and victims. The judgment against Defendant Pukke and others imposes a constructive trust (*see* enclosed Final Judgment, Section IV.C.). Based on applicable case law, a tax lien does not attach to receivership funds held in constructive trust.[3] As such, the receivership estate does not appear to be obligated to satisfy Defendant Pukke's tax lien.

In addition, the successor receiver is not aware of: (a) any property clawed back into the receivership estate that was titled in Defendant Pukke's name, or (b) the existence of bank accounts from which funds came into the receivership estate, wherein Defendant Pukke was a named signatory or beneficiary.

It is not apparent to the receiver that Defendant Pukke had any meaningful assets in his name during the existence of the receivership. In his recent criminal trial, for example, Defendant Pukke qualified for a public defender and it does not appear any assets were identified or seized in connection with the criminal forfeiture allegations in that proceeding. We additionally note that the successor receiver has not received outreach from the IRS concerning the tax lien and/or Defendant Pukke's personal tax obligations, despite the public nature of the proceedings against him.[4]

Request for Confirmation of No Claim Against Receivership Estate

As the successor receiver completes his responsibilities in the coming months and nears seeking the Court's approval to wind down the receivership estate, we request confirmation that the IRS is not asserting a claim against the estate and does not contend that the estate is responsible for satisfying Defendant Pukke's tax obligations generally and/or relative to those reflected in the tax lien, which includes assessments dating back more than 21 years. If the IRS believes it has any such claim, or that the receivership estate bears responsibility for Defendant Pukke and/or other

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[1] *See In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX, Docket Number 1117 (at 9-10), 1117-1 (at Section IX.A.).

[2] *See* https://www.justice.gov/sites/default/files/tax/legacy/2009/05/18/Z_Ponzi_schemes.pdf (last visited April 7, 2026).

[3] *See F.T.C. v. Crittenden*, 823 F. Supp. 699, 704 (C.D. Cal. 1993).

[4] Due to the assessments having been made more than ten years ago, the statute of limitations may have run with respect to a potential claim.

receivership entity tax obligations, please provide written notice of the claim(s) and corresponding basis by no later than June 10, 2026.

We would appreciate the opportunity to resolve any issues promptly before seeking the Court's approval for closure of the receivership estate.[5]

Sincerely,

MOJDEHI GALVIN REGO, LLP

Allison M. Rego

Encl.

[5] My office has also contacted the following: Kenneth Kies, Chief Counsel (Acting), 1111 Constitution Avenue NW, Washington, DC 20224; Centralized Lien Operation, P.O. Box 145595, Stop 8420G, Cincinnati, OH 45250-5595; Kenneth Corbin, Chief Taxpayer Services, 401 W. Peachtree Street, NW, Atlanta, GA 30308. We are unclear as to the most appropriate contact given the dissolution of the Department of Justice Tax Division in late 2025.

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Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE
PO BOX 145595, STOP 8420G
CINCINNATI, OH 45250-5585

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder
9.00
$R0010682708$
2019000071625 12:02 pm 03/07/19
65 406 N32 1
0.00 0.00 0.00 0.00 0.00 0.00 0.000.000.00 3.00

Form 668 (Y)(c)
(Rev. February 2004)

1748 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

Area: SMALL BUSINESS/SELF EMPLOYED AREA #7
Lien Unit Phone: (800) 913-6050

Serial Number 344942019

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ANDRIS N PUKKE

Residence 427 E 17TH ST STE F
COSTA MESA H, CA 92627-4748

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2003	XXX-XX-2778	02/14/2005	03/16/2025	2107026.29
1040	12/31/2006	XXX-XX-2778	09/20/2010	10/20/2020	792.93

Place of Filing
COUNTY RECORDER
ORANGE COUNTY
SANTA ANA, CA 92702

Total $ 2107819.22

This notice was prepared and signed at OAKLAND, CA, on this, the 26th day of February, 2019.

Signature Joan Flach
for GRACE SANTACRUZ

Title
ACS W&I 15-00-0000
(800) 829-7650

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

In re **SANCTUARY BELIZE LITIGATION**	* * * * * * * * * *	Civil No. **PJM 18-3309**

AMENDED FINAL
ORDER FOR PERMANENT INJUNCTION AND MONETARY JUDGMENT AGAINST DEFENDANTS ANDRIS PUKKE, PETER BAKER, AND LUKE CHADWICK

The Federal Trade Commission ("FTC") has filed an Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, alleging that Defendants Andris Pukke, Peter Baker, and Luke Chadwick violated the FTC Act and the Telemarketing Sales Rule through the deceptive marketing of lots in a development known variously as Sanctuary Bay, Sanctuary Belize, and The Reserve (for ease, "Sanctuary Belize"). Following a trial on the merits, which commenced on January 22, 2020 and concluded on February 12, 2020, and as detailed in the accompanying Memorandum Opinion dated August 28, 2020, the Court has found Pukke, Baker, and Chadwick liable on all counts. To the extent necessary, the Court amends the allegations in the Amended Complaint to conform to the proof at trial. The Court's reasoning and specific findings are detailed in the Memorandum Opinion dated August 28, 2020.

IT IS THEREFORE ORDERED:

FINDINGS

1. This Court has jurisdiction over this matter.

2. The Amended Complaint charges that Andris Pukke, Peter Baker, and Luke Chadwick, along with their fellow Defendants, controlled and participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, as well as in violation of the Telemarketing Sales Rule, 16 C.F.R. Part 310, in connection with the sale of lots in a development in Belize known as Sanctuary Belize.

3. Although the relevant Findings of Fact are more fully set out in the accompanying Memorandum Opinion, and are incorporated herein, the Court makes the following Findings in accordance with that Opinion:

a. Since 2005, Pukke, Baker, and their co-Defendants have sold lots in the development known by various names and identified herein as Sanctuary Belize.

b. For his part, Luke Chadwick controlled or participated in these acts or practices commencing in 2008.

c. Following the 2008 settlement between the Receiver and Sittee River Wildlife Reserve, Pukke, Baker, and Chadwick took steps to hide Andris Pukke's involvement in Sanctuary Belize, including through Pukke's use of aliases such as "Marc Romeo" and "Andy Storm."

d. Under the control of Pukke, Baker and Chadwick, and frequently with their direct participation, all Corporate Defendants and Individual Defendants participated in the sale of Sanctuary Belize lots through telemarketers in the United States, while making the following claims, all of which were and are false and material:

i. That Defendants used a "no debt" business model to develop Sanctuary Belize which would make lots in Sanctuary Belize a less risky investment than one in which the developer would make payments to lenders;

ii. That every dollar Defendants collected from Sanctuary Belize lot sales would go back into the development;

iii. That Defendants would finish Sanctuary Belize quickly, including within two to three years, or within five years;

iv. That the finished Sanctuary Belize would have all of the amenities expected of an American luxury resort community, such as: (i) a hospital staffed with American physicians and nurses near the development; (ii) an emergency medical center near the downtown "Marina Village;" (iii) a championship-caliber golf course; (iv) a local airport within the development; (v) a new international airport nearby with direct flights to and from the United States; (vi) a "Marina Village" containing high-end boutiques, restaurants, cafes, an American-style grocery store, an elegant casino, and a hotel; and (vii) a 250-slip world-class marina;

v. That consumers could realize the rapid appreciation of their lots within Sanctuary Belize because there is a robust resale market through which consumers could easily resell their lots should they choose to do so; and

vi. That Andris Pukke has had no meaningful involvement with Sanctuary Belize or with the Defaulting Corporate Defendants.[1]

[1] Defendants also made a claim that lots sold to purchasers would appreciate in value from 100% to 500% within two to three years. As set forth in the Memorandum Opinion, the Court did not find this claim to be a violation of the FTC Act or the TSR.

e. These representations were likely to mislead consumers acting reasonably under the circumstances, these representations were material, and consumers relied on these representations.

f. Except for Atlantic International Bank, the Corporate Defendants (including Defaulting Defendants) operated as a common enterprise ("SBE") in making these claims.

g. SBE initiates or receives interstate telephone calls from consumers as part of a program to sell services to those consumers.

h. SBE offers to provide goods and services through telemarketing.

i. Pukke, Baker, Usher, and Chadwick knew or should have known that the claims identified were false at the time they were made, or were at the least recklessly indifferent to the truth of the claims.

j. As a result of these false claims, consumers paid the Defendants at least one hundred twenty million, two hundred thousand dollars ($120,200,000).

k. Usher and the Defaulting Corporate Defendants are jointly and severally liable with Pukke, Baker, Usher and to an extent, Chadwick.

DEFINITIONS

A. **"Asset"** means any legal or equitable interest in, right to, or claim to, any property, wherever located and by whomever held, whether tangible, intangible, digital, or otherwise, including, but not limited to, digital currencies, virtual currencies, digital tokens, and cryptocurrencies. For clarity, "Asset" includes Receivership Entities themselves, in addition to rights and things the Receivership Entities control.

B. **"Corporate Defendant(s)"** means Global Property Alliance, Inc., Sittee River Wildlife Reserve, Buy Belize, LLC, Buy International, Inc., Foundation Development Management, Inc., Eco-Futures Development, Eco-Futures Belize Limited, Newport Land Group

LLC, Power Haus Marketing, Sanctuary Belize Property Owners' Association, Prodigy Management Group LLC, Foundation Partners, BG Marketing, LLC, Ecological Fox, LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, and Atlantic International Bank Ltd. and each of their subsidiaries, affiliates, successors, and assigns, collectively, individually, or in any combination.

C. **"Defendant(s)"** means the Corporate Defendants, Individual Defendants, and Relief Defendants, collectively, individually, or in any combination.

D. **"Individual Defendant(s)"** means Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Rod Kazazi, Brandi Greenfield, Frank Costanzo, and Michael Santos collectively, individually, or in any combination.

E. **"Real Estate Good or Service"** means any interest in, service related to, or development of, any real estate containing or involving three or more lots or units of any kind.

F. **"Receiver"** means the receiver appointed in Section VI of this Order and any deputy receivers who shall be named by the temporary receiver.

G. **"Receivership Asset"** means any and all Assets ordered to be turned over or relinquished to the Receiver pursuant to this Order.

H. **"Receivership Entities"** means the Corporate Defendants (except Atlantic International Bank, Ltd., Ecological Fox, LLC, BG Marketing, LLC, and Foundation Partners), 2729 Bristol LLC, and 3905 Marcus LLC, as well as any other entity that: (1) was located at, registered to, or operated from 3333 Michelson Drive, Suite 500, Irvine, California as of November 7, 2018, and assists, facilitates, or otherwise conducts business related to the sale of real estate in Belize; (2) assists, facilitates, or otherwise conducts business related to the acts identified in the Findings of Fact in this Order, and is owned or controlled by any Defendant; or (3) Assets that are otherwise in the Receivership and that are corporations or other legal entities.

I. **"Relief Defendant(s)"** means Angela Chittenden, Beach Bunny Holdings LLC, the Estate of John Pukke, John Vipulis, and Deborah Connelly.

J. **"Telemarketing"** means any plan, program, or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the Telemarketing Sales Rule.

ORDER[2]

I. BAN ON REAL ESTATE GOODS AND SERVICES

IT IS ORDERED that Pukke, individually, collectively, or in any combination, is permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale, or assisting others in the advertising, marketing, promoting, or offering for sale of any Real Estate Good or Service, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising. Further, Baker and Chadwick, individually, collectively, or in any combination, are permanently restrained and enjoined from any involvement with Sanctuary Belize or any future incarnation. Additionally, Baker and Chadwick, individually, collectively, or in any combination, are also permanently restrained and enjoined from any involvement with the development known as "Kanantik" or any future incarnation. Nothing herein prohibits the Receiver or any transferee of the Receiver from selling any Receivership Asset, including any Receivership Asset any Receivership Entity controls.

II. BAN ON TELEMARKETING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, are permanently restrained and enjoined from Telemarketing or assisting

[2] Unless otherwise specified in this or any other order of the Court, injunctive relief shall be permanent in nature and global in geographic application and unlimited in temporal application.

others in Telemarketing in any commercial enterprise whatsoever, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising.

III. PROHIBITION AGAINST MISREPRESENTATIONS IN THE SALE OF ANY GOOD OR SERVICE

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with advertising, marketing, promoting, or offering for sale any good or service of any nature whatsoever, are permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

A. That the use of a "no debt" business model makes an investment less risky than one in which an entity or individual must make payments to lenders;

B. That every dollar, or the vast majority of dollars, collected from selling the good or service will be used to develop the good or service;

C. That, unless guaranteed, the good or service will be completed or available within a specified period of time, such as a particular number of weeks, months, or years;

D. That, unless guaranteed, the good or service will feature specific amenities;

E. That consumers can realize the appreciation of their good or service because there is a robust resale market through which consumers can easily resell their good or service should they choose to do so;

F. That any particular person or entity has no meaningful involvement with the relevant business when the person or entity in fact does; and

G. That any other fact material to consumers concerning any good or service is true, if there is any basis for believing it is not true. This includes, as to any good or service: the total

costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

IV. EQUITABLE MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

A. Judgment in the amount of one hundred twenty million, two hundred thousand dollars ($120,200,000) is entered in favor of the FTC against Pukke and Baker, jointly and severally, as equitable monetary relief ("Equitable Monetary Judgment"). Judgment in the amount of ninety-one million, nine hundred and two thousand, seven hundred and twenty-five dollars and ninety-one cents ($91,902,725.91) is entered in favor of the FTC against Chadwick, jointly and severally with Pukke, Baker, Usher and the Defaulting Corporate Defendants.

B. In accordance with this Order, Pukke, Baker, and Chadwick, their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall transfer to the FTC within thirty (30) days all Assets (other than personal use real estate) subject to the direct or indirect control of Pukke, Baker, or Chadwick less than or equal to the Equitable Monetary Judgment (as reduced by the amounts, if any, already distributed to the FTC), regardless of where they are held and under what name they are held. This transfer shall be made by electronic fund transfer in accordance with instructions provided by a representative of the FTC. *Provided, however*, that Pukke, Baker, and Chadwick may each withhold no more than a total of $5,000 in such assets other than personal use real estate. If any of them intends to withhold any such funds, he shall within thirty (30) days of entry of this Order provide prior written notice to counsel for the FTC, sworn to under penalty of perjury, that he intends to withhold such Assets and shall submit a written report detailing the source (e.g., employment—and, if so, from what employment—or inheritance or gift—and, if so, from whom and when), the location, and the amount of the funds

being withheld. Should the FTC deem the proposed withholding inappropriate, it may move the Court for appropriate relief.

C. Pukke, Baker, and Chadwick shall forever relinquish and no longer have any rights to any and all Assets previously transferred in fact or by operation of law to the Receiver, pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, the Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or the Preliminary Injunction (ECF No. 615) entered on October 3, 2019 (including, without limitation, the Receivership Entities themselves). The Receiver shall retain possession or control of those Assets (including the Receivership Entities themselves) in accordance with the terms of the present Order and the Receiver shall marshal and then liquidate all such assets for the benefit of the FTC, in such sequence and at such time or times as the Receiver in its discretion shall deem appropriate. For clarity, these Assets (including the Receivership Entities themselves) are Receivership Assets. The Receivership Assets (including the Receivership Entities themselves and any Assets turned over to the Receiver in satisfaction of the Equitable Monetary Judgment) shall be held in constructive trust by the Receiver for the sole benefit of the FTC and lot purchasers at Sanctuary Belize, so that the Receiver can disburse assets to the lot purchasers.

D. Pukke, Baker, and Chadwick, and their officers, agents, employees, and attorneys, shall, within thirty (30) days of the entry of this Order, take all steps possible or necessary to transfer to the Receiver all Assets that Pukke, Baker, or Chadwick own or control, directly or indirectly, or which are held for their benefit, that exceed $2,500 in value (as determined by the Receiver) that they have not otherwise been ordered to transfer pursuant to paragraph B above. Said Defendants shall be entitled to the benefit of any homestead law provided by the State of California. Once the Receiver has disbursed to the FTC an amount equal to the Equitable Monetary Judgment, the provisions of this sub-paragraph IV.D shall no longer apply. For clarity, these Assets are Receivership Assets. Additionally, and also for clarity, Pukke, Baker, and

Chadwick each shall have an ongoing obligation, by the end of each calendar month, to apprise the FTC and Receiver of their total current income (and any change in income) and the acquisition of any additional Assets new or used, worth, or potentially worth, more than $2,500. Additionally, Pukke, Baker, and Chadwick each shall, within the same time period, report to the Receiver the acquisition, by any means, of any Asset that may be worth $2,500 or more. Pukke, Baker, and Chadwick each has ongoing obligations to transfer to the FTC, in accordance with instructions from an FTC representative, employment income in an amount up to the maximum allowed under 15 U.S.C. § 1673 (e.g., up to 25% of disposable earnings on a weekly basis), and shall transfer to the Receiver all other Assets, new or used, that they acquire or control, by any other means, valued at more than $2,500, as determined by the Receiver. For clarity, these provisions necessarily pertain to income and Assets acquired after the entry of this Order and these obligations shall continue in effect until the Receivership has been closed by the Court, the Equitable Monetary Judgment has been fully satisfied, or upon further Order of the Court. If, upon the closure of the Receivership the Equitable Monetary Judgment has not been satisfied, Pukke, Baker, and Chadwick each shall make the same reports detailed above to the FTC and, pursuant to instructions from an FTC representative, transfer income and assets to the FTC or for the FTC's benefit pursuant to those instructions. Pukke, Baker, and Chadwick shall make the required reports to the FTC by email to current FTC counsel of record as well as emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

> Associate Director for Enforcement, Bureau of Consumer Protection
> Federal Trade Commission,
> Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
> 600 Pennsylvania Avenue, NW
> Washington, DC 20580.

Within fourteen (14) days after receiving instructions from an FTC representative, Pukke, Baker, and Chadwick shall then transfer, liquidate, and/or dispose of the Asset(s) in accordance with the

FTC's instructions. All reports completed pursuant to this paragraph must be signed and sworn to under penalty of perjury.

E. Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall fully cooperate with and assist the FTC and the Receiver with the turnover of Assets pursuant to this Order, and are hereby restrained and enjoined from directly or indirectly:

1. Interfering with the FTC's and Receiver's efforts to manage, or take custody, control, or possession of, the Assets ordered to be turned over to the FTC or the Receiver;
2. Transacting any of the business of any Receivership Entity or any entity that itself is a Receivership Asset;
3. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any Assets ordered to be turned over to the FTC or the Receiver; or
4. Refusing to cooperate with the FTC or the Receiver, or the Receiver's duly authorized agents, in the exercise of their duties or authority under any order of this Court.

V. ADDITIONAL MONETARY PROVISIONS

A. Pukke, Baker, and Chadwick shall relinquish dominion and all legal and equitable right, title, and interest in all Assets turned over or relinquished pursuant to this Order and may not seek the return of any Assets, without prior authorization by the Court.

B. All money paid to the FTC pursuant to this Order may be deposited into a fund administered by the FTC or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. Said Defendants

shall have no right to challenge any actions the FTC or its representatives may take pursuant to this paragraph, nor may they otherwise challenge the ultimate disposition of the Assets turned over to the FTC or the Receiver.

C. Within thirty (30) days following the entry of this Order, Defendants Pukke, Baker, and Chadwick each shall complete and submit to the FTC and the Receiver the attached Financial Statement of Individual Defendant. Thereafter, Pukke, Baker, and Chadwick each shall recomplete and submit to the FTC and the Receiver the same form (or similar form to be provided by the FTC) upon one (1) year following the entry of this Order and must recomplete and submit to the FTC that same form every year thereafter until they receive notice from the FTC that they need not continue to complete such forms or they have satisfied in full the Equitable Monetary Judgment. Each such form must be submitted with all of the required and specified attachments. Each such form must be signed and sworn to under penalty of perjury. The forms must be submitted electronically to FTC counsel of record in this matter in a manner to be specified by FTC counsel. Additionally, the forms must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

Associate Director for Enforcement, Bureau of Consumer Protection
Federal Trade Commission
Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
600 Pennsylvania Avenue, NW
Washington, DC 20580.

D. The asset freeze imposed on Pukke, Baker, and Chadwick pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or Preliminary Injunction (ECF No. 615) entered on October 3, 2019, is hereby modified to the extent necessary to permit the transfers identified in the Equitable Monetary Judgment Section. Upon full satisfaction of the Equitable Monetary Judgment, the FTC shall make a full report of satisfaction, at which time the Court, upon review and approval of the report, shall dissolve the asset freeze.

E. Upon full satisfaction of the Equitable Monetary Judgment, closure of the Receivership, or a subsequent order of the Court, following formal notice by the Receiver to the Court that the Receiver is satisfied that Pukke and Baker have fully transferred to the Receivership all Assets that they hold greater in value than $2,500 (as determined by the Receiver), the Receiver shall return to Pukke and Baker any passports it holds in their names within thirty (30) days of the giving of notice. The FTC, Pukke, and Baker shall have an opportunity to comment upon such proposed transfer of passports. The return of a passport shall not be construed as a concession that Pukke or Baker has turned over all Assets he is required to turn over pursuant to this Order or that he has satisfied the Equitable Monetary Judgment.

VI. RECEIVER

IT IS FURTHER ORDERED that Robb Evans & Associates LLC is appointed as Receiver for all Assets ordered to be turned over to the Receiver pursuant to this Order. It shall have full powers of an equity receiver. The Receiver shall be solely the agent of this Court in acting as Receiver under this Order.

VII. DUTIES AND AUTHORITY OF RECEIVER

IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

A. Take exclusive control, custody, and possession of all Receivership Assets.

B. Conserve, hold, manage, and prevent the loss of all Receivership Assets, and perform all acts necessary or advisable to preserve the value of those Assets. The Receiver shall assume control over the income and profits therefrom and all sums of money now or hereafter due or owing to any entity that is a Receivership Asset or otherwise due or owing to Pukke, Baker, or Chadwick as a result of any Receivership Assets. The Receiver shall have full power to sue for, collect, and receive, all Receivership Assets. *Provided, however*, that the Receiver shall not, without prior Court approval, attempt to collect any amount from a consumer if the Receiver

believes the consumer's debt has resulted from deceptive acts or practices or other violations of law.

C. Liquidate, through fair market sales or similar transactions, all Receivership Assets, following a motion and order from the Court approving the sale or liquidation. The Receiver shall take steps to attempt to obtain the full fair market value of any Asset that is obtained by the Receivership estate in any sale or liquidation.

D. Disburse periodically to the FTC, lot purchasers, or other third parties as provided by separate Court order, less its Court-approved fees and expenses or reasonably anticipated potential expenses including, without limitation, expenses or liabilities not yet known at the time of the disbursements, as approved by the Court. At the time of a periodic disbursement to the FTC, the Receiver shall also disburse to the FTC the amount of any and all withheld prior anticipated potential expenses that were not in fact incurred.

E. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;

F. Make payments and disbursements from the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order, and to incur, or authorize the making of, such agreements as may be necessary and advisable in discharging his or her duties as Receiver. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred, except payments that the Receiver deems necessary or advisable to secure Receivership Assets, such as rental payments;

G. Enter into and cancel contracts and purchase insurance as advisable or necessary;

H. Prevent the inequitable distribution of Assets and determine, adjust, and protect tbe interests of consumers who have transacted business with Pukke, Baker, Chadwick, any entity that is a Receivership Asset, or the Receivership Entities;

I. Make an accounting, as soon as practicable, of the Receivership Assets and financial condition of the Receivership and file the accounting with the Court and deliver copies thereof to all parties;

J. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal, or foreign courts, or arbitration proceedings as the Receiver deems necessary and advisable to preserve or recover the Receivership Assets, or to carry out the Receiver's mandate under this Order, including but not limited to actions challenging fraudulent or voidable transfers;

K. Demand from any person or entity documents and records pertaining to the Receivership Assets within three (3) days after delivery of the Order by mail, courier, email, or other method by which the recipient receives a copy of this Order, in addition to obtaining discovery pursuant to the Federal Rules of Civil Procedure, including subpoenas seeking documents and/or testimony under Rule 45;

L. Open one or more bank accounts at designated depositories for funds of the Receivership estate. The Receiver shall deposit all funds of the Receivership estate in such designated accounts and shall make all payments and disbursements from the Receivership estate from such accounts. The Receiver shall serve copies of monthly account statements on all parties;

M. Maintain accurate records of all receipts and expenditures incurred as Receiver;

N. Cooperate with reasonable requests for information or assistance from any state or federal civil or criminal law enforcement agency;

O. Suspend business operations of any entity that is a Receivership Asset if in the judgment of the Receiver such operations cannot be continued legally and profitably; and

P. If in the Receiver's judgment the business operations of any Receivership Asset cannot be continued legally and profitably, take all steps necessary to ensure that any of the web

pages or websites relating to the activities of the Receivership Asset cannot be accessed by the public, or are modified for consumer education and/or informational purposes, and take all steps necessary to ensure that any telephone numbers associated with the Receivership Asset cannot be accessed by the public, or are answered solely to provide consumer education or information regarding the status of operations.

VIII. STAY OF ACTIONS

IT IS FURTHER ORDERED that, except by leave of this Court, during the pendency of the Receivership ordered herein, Defendants and their officers, agents, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, and their corporations, subsidiaries, divisions, or affiliates, and all investors, creditors, stockholders, lessors, customers and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of Defendants, and all others acting for or on behalf of such persons, are hereby enjoined from taking any action that would interfere with the exclusive jurisdiction of this Court over the Receivership Assets, including, but not limited to:

A. Filing or assisting in the filing of a petition for relief under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, or of any similar insolvency proceeding on behalf of any entity that is a Receivership Asset;

B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against any of the Receivership Assets or otherwise seeking an interest in any of the Receivership Assets, including the issuance or employment of process, except that such actions may be commenced if necessary to toll any applicable statute of limitations;

C. Filing or enforcing any lien on any Receivership Asset, taking or attempting to take possession, custody, or control of any Receivership Asset; or attempting to foreclose, forfeit, alter, or terminate any interest in any Receivership Asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise.

Provided, however, that this Order does not stay: (1) the commencement or continuation of a criminal action or proceeding; (2) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (3) the enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

IX. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Assets now held by, in the possession or control of, or which may be received by, the Receivership estate. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of entry of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court. Whenever the Receiver submits such a request for payment, or at other times within the Receiver's discretion, the Receiver shall also submit a report regarding: (1) the steps taken by the Temporary Receiver to implement the terms of this Order; (2) the value of all liquidated and unliquidated Receivership Assets; (3) the sum of all liabilities of any Receivership Asset; (4) the steps the Receiver intends to take in the future to (a) prevent any diminution in the value of the Receivership Assets and (b) acquire additional Assets from Pukke, Baker, Chadwick, or any other person or entity; and (5) any other matter which the Receiver believes should be brought to the Court's attention. *Provided, however*, if any of the required information would hinder the Receiver's ability to pursue Assets, the portions of the Receiver's

report containing such information may be redacted and be filed for the Court's benefit under seal without service on the parties.

X. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

A. Failing to provide sufficient customer information to enable the FTC to efficiently administer consumer redress. If a representative of the FTC requests in writing any information related to redress, Pukke, Baker, and Chadwick each shall provide it, in the form prescribed by the FTC, within fourteen (14) days.

B. Otherwise disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that Pukke, Baker, or Chadwick obtained prior to entry of this Order; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within thirty (30) days after receipt of written direction to do so from a representative of the FTC.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

XI. ACKNOWLEDGMENT OF RECEIPT OF ORDER

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall submit acknowledgments of receipt of this Order as follows:

A. Pukke, Baker, and Chadwick each shall, within seven (7) days of entry of this Order, submit to the FTC a written acknowledgment of receipt of this Order, sworn to under penalty of perjury.

B. For each of twenty (20) years after entry of this Order, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is the majority owner of, or controls directly or indirectly, said Defendant shall deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for marketing, sales, or operations; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery of a copy of this Order must occur within seven (7) days of entry of this Order for current personnel. For all others, Pukke, Baker, and Chadwick shall deliver a copy of this Order before they assume their responsibilities with any such business.

C. From each individual or entity to which Pukke, Baker, or Chadwick delivers a copy of this Order, that Defendant shall obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

XII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall make timely submissions to the FTC:

A. One year after entry of this Order, Pukke, Baker, and Chadwick shall each submit a compliance report, sworn to under penalty of perjury, which shall:

1. (a) identify their primary physical, postal address, email address, and telephone number, as designated points of contact, which representatives of the FTC may use to communicate with Defendant; (b) identify all of that Defendant's businesses, whether owned or controlled by them, directly or indirectly, giving all of their names, telephone numbers, and

physical, postal, email, and Internet addresses; (c) describe the activities of each such business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant (which each must describe the other Defendant in detail, including the other Defendant's title, position, compensation, and duties); (d) describe in detail whether and how each Defendant's involvement in each such business is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment sought and obtained pursuant to this Order, unless previously submitted to the FTC.

2. Additionally, in such compliance report, Pukke, Baker and Chadwick shall: (a) identify all telephone numbers and all their physical, postal, email and Internet addresses, including all residences used by them; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, whether directly or indirectly; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For each of twenty (20) years after entry of this Order, Pukke, Baker, and Chadwick each shall submit a compliance report, sworn to under penalty of perjury, within fourteen (14) days of any change in the following:

1. (a) any designated point of contact for them; or (b) the structure of any entity that Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including details as to the creation, merger, sale, or dissolution of the

entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each must report any change in: (a) name, including aliases or fictitious name, or residence address of the Defendant; or (b) any title or role in any business activity, including any business for which a Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Pukke, Baker, and Chadwick each shall submit to the FTC notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant, within fourteen (14) days of any such filing.

D. Any submission to the FTC required by this Order to be sworn under penalty of perjury must be true and accurate and must comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, the signatory's full name, title (if applicable), and signature.

E. Unless otherwise directed by an FTC representative in writing, all submissions to the FTC pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009.

F. Notwithstanding any other provision herein, Pukke must maintain the email address ekkup@msn.com, Baker must maintain the email address peterbakerx@gmail.com, and Chadwick must maintain the email address luketchadwick@gmail.com. Also notwithstanding

any other provision herein, service of any notice, process, or other item that requires any form of delivery shall be valid if the FTC serves it: (1) to the appropriate aforementioned email address of the Defendant; (2) to any other email address identified by the Defendant to whom service is directed; or (3) by any other method reasonably calculated to achieve actual notice to the Defendant.

XIII. ALIASES AND NOMINEES

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort in which Pukke, Baker, or Chadwick has consented to, or acquiesced to, the use of an alias or pseudonym by them, for them or for any individual associated with them and are further permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort through the use of nominees, strawmen, or any other manner by which their ownership or control is obscured or hidden.

XIV. RECORDKEEPING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick each shall create certain records for twenty (20) years after entry of the Order, and shall retain each such record for five (5) years. Specifically, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is a majority owner or controls directly or indirectly, each such business shall create and retain the following records:

A. accounting records showing the revenues from all goods or services sold;

B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination of such person's services;

C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the FTC; and

E. a copy of each unique advertisement or other marketing material of the business.

XV. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring the compliance of Pukke, Baker, and Chadwick with this Order, including any failure on their part to transfer any assets as required by this Order or otherwise to collect on the Equitable Monetary Judgment:

A. Within fourteen (14) days of receipt of a written request from a representative of the FTC, each Defendant shall: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce appropriate documents for inspection and copying. The FTC is authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the FTC is authorized to communicate directly with Pukke, Baker, and Chadwick. Pukke, Baker, and Chadwick shall permit representatives of the FTC to interview any employee or other person affiliated with any entity any of them may own or control, directly or indirectly, who has agreed to such an interview. The person interviewed may have counsel present.

C. The FTC may use all other lawful means to interact with Pukke, Baker, Chadwick, or any individual or entity they are associated or affiliated with, including posing

undercover through its representatives, as consumers, suppliers, or other individuals or entities, without the necessity of identification or prior notice.

D. Nothing in this Order shall limit the FTC's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

E. Upon written request from a representative of the FTC, any consumer reporting agency must furnish consumer reports concerning Pukke, Baker, and Chadwick, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

F. As should already be clear, the parties must at all times act reasonably and in good faith. Unreasonable requests for information or unreasonable refusal to comply with such requests may result in sanctions, including the payment of attorneys' fees.

XVI. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED, this 24 day of March, 2021.

Peter J. Messitte

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

EXHIBIT 4

MGR | MOJDEHI GALVIN REGO

2550 Fifth Ave, Suite 910
San Diego, CA 92103

Allison M. Rego
858-754-6214
allison.rego@mgr-legal.com

April 10, 2026

VIA CERTIFIED MAIL / RETURN RECEIPT REQUESTED

Kenneth Kies
Chief Counsel (Acting)
1111 Constitution Avenue NW
Washington, DC 20224

Re: *In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX – Andris Pukke Tax Lien (Serial Number 344942019)

Dear Mr. Kies:

My firm represents the successor receiver appointed by the Federal District Court in the above-referenced case. We write to respectfully request clarification by June 10, 2026 of the IRS's position concerning the enclosed tax lien against Andris Pukke.

The receivership estate is not aware of whether Defendant Pukke (and/or any of the receivership entities) as of the date of this letter have outstanding tax obligations that are due and owing to the IRS under a tax lien (or otherwise) and in accordance with the analysis below, does not believe the receivership estate has responsibility for the tax lien in any event. However, since the administration of the estate on behalf of the victims in this matter is close to completion, we are writing in an abundance of caution to the extent it may be necessary to address potential IRS matters that could impact the estate before seeking the Court's approval to wind it down.

The FTC Enforcement Action

By way of background, the Sanctuary Belize civil enforcement case was commenced by the Federal Trade Commission ("FTC") on October 31, 2018. The FTC settled with certain defendants and prevailed on claims at trial against others, including Andris Pukke, establishing a far-reaching consumer fraud with respect to the sale of Belize land assets. The action resulted in a judgment exceeding $120 million. A copy of the final judgment against Defendant Pukke and certain of the other defendants is enclosed.

On November 5, 2018, the Court appointed a receiver to take control of and liquidate assets for the benefit of consumer victims, many of whom were retirees. The initial receiver appointed was Robb Evans & Associates LLC ("REA"). Following the passing of REA's principals, my client, Marc-Philip Ferzan of Ankura Consulting Group, LLC, was appointed as successor receiver on October 26, 2021.

To date, only approximately $33 million has been distributed to consumer victims in redress payments. Despite best efforts, consumers will not be made whole due to the scope and magnitude of defendants' misconduct. Indeed, Defendant Pukke was recently convicted for wire fraud and obstruction of justice in the U.S. District Court for the Southern District of New York and is currently incarcerated.

The Pukke Tax Lien

Anticipating the unfortunate likelihood that consumer victims would not be made whole, the FTC proposed a redress plan that prioritized payment to consumers ahead of non-consumer creditors.[1] To this end, the FTC's plan, consistent with the Department of Justic's directive, entitled *Tax Claims Against Embezzlers, Swindlers, Etc. v. Recovery by Investors, Dupes and Victims*[2], proposed that assets and funds recovered by the receivership estate would be held in a constructive trust for the benefit of the FTC and victims. The judgment against Defendant Pukke and others imposes a constructive trust (*see* enclosed Final Judgment, Section IV.C.). Based on applicable case law, a tax lien does not attach to receivership funds held in constructive trust.[3] As such, the receivership estate does not appear to be obligated to satisfy Defendant Pukke's tax lien.

In addition, the successor receiver is not aware of: (a) any property clawed back into the receivership estate that was titled in Defendant Pukke's name, or (b) the existence of bank accounts from which funds came into the receivership estate, wherein Defendant Pukke was a named signatory or beneficiary.

It is not apparent to the receiver that Defendant Pukke had any meaningful assets in his name during the existence of the receivership. In his recent criminal trial, for example, Defendant Pukke qualified for a public defender and it does not appear any assets were identified or seized in connection with the criminal forfeiture allegations in that proceeding. We additionally note that the successor receiver has not received outreach from the IRS concerning the tax lien and/or Defendant Pukke's personal tax obligations, despite the public nature of the proceedings against him.[4]

Request for Confirmation of No Claim Against Receivership Estate

As the successor receiver completes his responsibilities in the coming months and nears seeking the Court's approval to wind down the receivership estate, we request confirmation that the IRS is not asserting a claim against the estate and does not contend that the estate is responsible for satisfying Defendant Pukke's tax obligations generally and/or relative to those reflected in the tax lien, which includes assessments dating back more than 21 years. If the IRS believes it has any such claim, or that the receivership estate bears responsibility for Defendant Pukke and/or other

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[1] *See In re Sanctuary Belize Litigation*, United States District Court, District of Maryland, Case No. 18-cv-3309-PX, Docket Number 1117 (at 9-10), 1117-1 (at Section IX.A.).

[2] *See* https://www.justice.gov/sites/default/files/tax/legacy/2009/05/18/Z_Ponzi_schemes.pdf (last visited April 7, 2026).

[3] *See F.T.C. v. Crittenden*, 823 F. Supp. 699, 704 (C.D. Cal. 1993).

[4] Due to the assessments having been made more than ten years ago, the statute of limitations may have run with respect to a potential claim.

receivership entity tax obligations, please provide written notice of the claim(s) and corresponding basis by no later than June 10, 2026.

We would appreciate the opportunity to resolve any issues promptly before seeking the Court's approval for closure of the receivership estate.[5]

Sincerely,

MOJDEHI GALVIN REGO, LLP

Allison M. Rego

Encl.

[5] My office has also contacted the following: Frank J. Bisignano, Chief Executive Officer, 1111 Constitution Avenue NW, Washington, DC 20224; Centralized Lien Operation, P.O. Box 145595, Stop 8420G, Cincinnati, OH 45250-5595; Kenneth Corbin, Chief Taxpayer Services, 401 W. Peachtree Street, NW, Atlanta, GA 30308. We are unclear as to the most appropriate contact given the dissolution of the Department of Justice Tax Division in late 2025.

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Recording Requested By Internal Revenue Service. When recorded mail to:

INTERNAL REVENUE SERVICE
PO BOX 145595, STOP 8420G
CINCINNATI, OH 45250-5585

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder
9.00
$R0010682708$
2019000071625 12:02 pm 03/07/19
65 406 N32 1
0.00 0.00 0.00 0.00 0.00 0.00 0.000.000.00 3.00

Form 668 (Y)(c) (Rev. February 2004)

1748 Department of the Treasury - Internal Revenue Service

Notice of Federal Tax Lien

TL
10
FF

Area: SMALL BUSINESS/SELF EMPLOYED AREA #7
Lien Unit Phone: (800) 913-6050

Serial Number 344942019

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ANDRIS N PUKKE

Residence 427 E 17TH ST STE F
COSTA MESA H, CA 92627-4748

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2003	XXX-XX-2778	02/14/2005	03/16/2025	2107026.29
1040	12/31/2006	XXX-XX-2778	09/20/2010	10/20/2020	792.93

Place of Filing
COUNTY RECORDER
ORANGE COUNTY
SANTA ANA, CA 92702

Total $ 2107819.22

This notice was prepared and signed at OAKLAND, CA, on this, the 26th day of February, 2019.

Signature Joan Flack
for GRACE SANTACRUZ

Title
ACS W&I 15-00-0000
(800) 829-7650

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

Form **668(Y)(c)** (Rev. 2-2004)
CAT. NO 60025X

Description: Orange,CA Document - Year.DocID 2019.71625 Page: 1 of 1
Order: 350-2263485-11 Comment:

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

In re **SANCTUARY BELIZE LITIGATION**	*	Civil No. **PJM 18-3309**

AMENDED FINAL ORDER FOR PERMANENT INJUNCTION AND MONETARY JUDGMENT AGAINST DEFENDANTS ANDRIS PUKKE, PETER BAKER, AND LUKE CHADWICK

The Federal Trade Commission ("FTC") has filed an Amended Complaint for Permanent Injunction and Other Equitable Relief ("Amended Complaint"), pursuant to Section 13(b) of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. § 53(b), and the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), 15 U.S.C. §§ 6101-6108, alleging that Defendants Andris Pukke, Peter Baker, and Luke Chadwick violated the FTC Act and the Telemarketing Sales Rule through the deceptive marketing of lots in a development known variously as Sanctuary Bay, Sanctuary Belize, and The Reserve (for ease, "Sanctuary Belize"). Following a trial on the merits, which commenced on January 22, 2020 and concluded on February 12, 2020, and as detailed in the accompanying Memorandum Opinion dated August 28, 2020, the Court has found Pukke, Baker, and Chadwick liable on all counts. To the extent necessary, the Court amends the allegations in the Amended Complaint to conform to the proof at trial. The Court's reasoning and specific findings are detailed in the Memorandum Opinion dated August 28, 2020.

IT IS THEREFORE ORDERED:

FINDINGS

1. This Court has jurisdiction over this matter.

2. The Amended Complaint charges that Andris Pukke, Peter Baker, and Luke Chadwick, along with their fellow Defendants, controlled and participated in deceptive acts or practices in violation of Section 5 of the FTC Act, 15 U.S.C. § 45, as well as in violation of the Telemarketing Sales Rule, 16 C.F.R. Part 310, in connection with the sale of lots in a development in Belize known as Sanctuary Belize.

3. Although the relevant Findings of Fact are more fully set out in the accompanying Memorandum Opinion, and are incorporated herein, the Court makes the following Findings in accordance with that Opinion:

a. Since 2005, Pukke, Baker, and their co-Defendants have sold lots in the development known by various names and identified herein as Sanctuary Belize.

b. For his part, Luke Chadwick controlled or participated in these acts or practices commencing in 2008.

c. Following the 2008 settlement between the Receiver and Sittee River Wildlife Reserve, Pukke, Baker, and Chadwick took steps to hide Andris Pukke's involvement in Sanctuary Belize, including through Pukke's use of aliases such as "Marc Romeo" and "Andy Storm."

d. Under the control of Pukke, Baker and Chadwick, and frequently with their direct participation, all Corporate Defendants and Individual Defendants participated in the sale of Sanctuary Belize lots through telemarketers in the United States, while making the following claims, all of which were and are false and material:

i. That Defendants used a "no debt" business model to develop Sanctuary Belize which would make lots in Sanctuary Belize a less risky investment than one in which the developer would make payments to lenders;

ii. That every dollar Defendants collected from Sanctuary Belize lot sales would go back into the development;

iii. That Defendants would finish Sanctuary Belize quickly, including within two to three years, or within five years;

iv. That the finished Sanctuary Belize would have all of the amenities expected of an American luxury resort community, such as: (i) a hospital staffed with American physicians and nurses near the development; (ii) an emergency medical center near the downtown "Marina Village;" (iii) a championship-caliber golf course; (iv) a local airport within the development; (v) a new international airport nearby with direct flights to and from the United States; (vi) a "Marina Village" containing high-end boutiques, restaurants, cafes, an American-style grocery store, an elegant casino, and a hotel; and (vii) a 250-slip world-class marina;

v. That consumers could realize the rapid appreciation of their lots within Sanctuary Belize because there is a robust resale market through which consumers could easily resell their lots should they choose to do so; and

vi. That Andris Pukke has had no meaningful involvement with Sanctuary Belize or with the Defaulting Corporate Defendants.[1]

[1] Defendants also made a claim that lots sold to purchasers would appreciate in value from 100% to 500% within two to three years. As set forth in the Memorandum Opinion, the Court did not find this claim to be a violation of the FTC Act or the TSR.

e. These representations were likely to mislead consumers acting reasonably under the circumstances, these representations were material, and consumers relied on these representations.

f. Except for Atlantic International Bank, the Corporate Defendants (including Defaulting Defendants) operated as a common enterprise ("SBE") in making these claims.

g. SBE initiates or receives interstate telephone calls from consumers as part of a program to sell services to those consumers.

h. SBE offers to provide goods and services through telemarketing.

i. Pukke, Baker, Usher, and Chadwick knew or should have known that the claims identified were false at the time they were made, or were at the least recklessly indifferent to the truth of the claims.

j. As a result of these false claims, consumers paid the Defendants at least one hundred twenty million, two hundred thousand dollars ($120,200,000).

k. Usher and the Defaulting Corporate Defendants are jointly and severally liable with Pukke, Baker, Usher and to an extent, Chadwick.

DEFINITIONS

A. **"Asset"** means any legal or equitable interest in, right to, or claim to, any property, wherever located and by whomever held, whether tangible, intangible, digital, or otherwise, including, but not limited to, digital currencies, virtual currencies, digital tokens, and cryptocurrencies. For clarity, "Asset" includes Receivership Entities themselves, in addition to rights and things the Receivership Entities control.

B. **"Corporate Defendant(s)"** means Global Property Alliance, Inc., Sittee River Wildlife Reserve, Buy Belize, LLC, Buy International, Inc., Foundation Development Management, Inc., Eco-Futures Development, Eco-Futures Belize Limited, Newport Land Group

LLC, Power Haus Marketing, Sanctuary Belize Property Owners' Association, Prodigy Management Group LLC, Foundation Partners, BG Marketing, LLC, Ecological Fox, LLC, Belize Real Estate Affiliates LLC, Exotic Investor LLC, Southern Belize Realty LLC, and Atlantic International Bank Ltd. and each of their subsidiaries, affiliates, successors, and assigns, collectively, individually, or in any combination.

C. **"Defendant(s)"** means the Corporate Defendants, Individual Defendants, and Relief Defendants, collectively, individually, or in any combination.

D. **"Individual Defendant(s)"** means Andris Pukke, Peter Baker, Luke Chadwick, John Usher, Rod Kazazi, Brandi Greenfield, Frank Costanzo, and Michael Santos collectively, individually, or in any combination.

E. **"Real Estate Good or Service"** means any interest in, service related to, or development of, any real estate containing or involving three or more lots or units of any kind.

F. **"Receiver"** means the receiver appointed in Section VI of this Order and any deputy receivers who shall be named by the temporary receiver.

G. **"Receivership Asset"** means any and all Assets ordered to be turned over or relinquished to the Receiver pursuant to this Order.

H. **"Receivership Entities"** means the Corporate Defendants (except Atlantic International Bank, Ltd., Ecological Fox, LLC, BG Marketing, LLC, and Foundation Partners), 2729 Bristol LLC, and 3905 Marcus LLC, as well as any other entity that: (1) was located at, registered to, or operated from 3333 Michelson Drive, Suite 500, Irvine, California as of November 7, 2018, and assists, facilitates, or otherwise conducts business related to the sale of real estate in Belize; (2) assists, facilitates, or otherwise conducts business related to the acts identified in the Findings of Fact in this Order, and is owned or controlled by any Defendant; or (3) Assets that are otherwise in the Receivership and that are corporations or other legal entities.

I. **"Relief Defendant(s)"** means Angela Chittenden, Beach Bunny Holdings LLC, the Estate of John Pukke, John Vipulis, and Deborah Connelly.

J. **"Telemarketing"** means any plan, program, or campaign which is conducted to induce the purchase of goods or services by use of one or more telephones, and which involves a telephone call, whether or not covered by the Telemarketing Sales Rule.

ORDER[2]

I. BAN ON REAL ESTATE GOODS AND SERVICES

IT IS ORDERED that Pukke, individually, collectively, or in any combination, is permanently restrained and enjoined from advertising, marketing, promoting, or offering for sale, or assisting others in the advertising, marketing, promoting, or offering for sale of any Real Estate Good or Service, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising. Further, Baker and Chadwick, individually, collectively, or in any combination, are permanently restrained and enjoined from any involvement with Sanctuary Belize or any future incarnation. Additionally, Baker and Chadwick, individually, collectively, or in any combination, are also permanently restrained and enjoined from any involvement with the development known as "Kanantik" or any future incarnation. Nothing herein prohibits the Receiver or any transferee of the Receiver from selling any Receivership Asset, including any Receivership Asset any Receivership Entity controls.

II. BAN ON TELEMARKETING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, are permanently restrained and enjoined from Telemarketing or assisting

[2] Unless otherwise specified in this or any other order of the Court, injunctive relief shall be permanent in nature and global in geographic application and unlimited in temporal application.

others in Telemarketing in any commercial enterprise whatsoever, whether directly or through an intermediary, including by consulting, brokering, planning, investing, or advising.

III. PROHIBITION AGAINST MISREPRESENTATIONS IN THE SALE OF ANY GOOD OR SERVICE

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, whether acting directly or indirectly, in connection with advertising, marketing, promoting, or offering for sale any good or service of any nature whatsoever, are permanently restrained and enjoined from misrepresenting, or assisting others in misrepresenting, expressly or by implication:

A. That the use of a "no debt" business model makes an investment less risky than one in which an entity or individual must make payments to lenders;

B. That every dollar, or the vast majority of dollars, collected from selling the good or service will be used to develop the good or service;

C. That, unless guaranteed, the good or service will be completed or available within a specified period of time, such as a particular number of weeks, months, or years;

D. That, unless guaranteed, the good or service will feature specific amenities;

E. That consumers can realize the appreciation of their good or service because there is a robust resale market through which consumers can easily resell their good or service should they choose to do so;

F. That any particular person or entity has no meaningful involvement with the relevant business when the person or entity in fact does; and

G. That any other fact material to consumers concerning any good or service is true, if there is any basis for believing it is not true. This includes, as to any good or service: the total

costs; any material restrictions, limitations, or conditions; or any material aspect of its performance, efficacy, nature, or central characteristics.

IV. EQUITABLE MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

A. Judgment in the amount of one hundred twenty million, two hundred thousand dollars ($120,200,000) is entered in favor of the FTC against Pukke and Baker, jointly and severally, as equitable monetary relief ("Equitable Monetary Judgment"). Judgment in the amount of ninety-one million, nine hundred and two thousand, seven hundred and twenty-five dollars and ninety-one cents ($91,902,725.91) is entered in favor of the FTC against Chadwick, jointly and severally with Pukke, Baker, Usher and the Defaulting Corporate Defendants.

B. In accordance with this Order, Pukke, Baker, and Chadwick, their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall transfer to the FTC within thirty (30) days all Assets (other than personal use real estate) subject to the direct or indirect control of Pukke, Baker, or Chadwick less than or equal to the Equitable Monetary Judgment (as reduced by the amounts, if any, already distributed to the FTC), regardless of where they are held and under what name they are held. This transfer shall be made by electronic fund transfer in accordance with instructions provided by a representative of the FTC. *Provided, however*, that Pukke, Baker, and Chadwick may each withhold no more than a total of $5,000 in such assets other than personal use real estate. If any of them intends to withhold any such funds, he shall within thirty (30) days of entry of this Order provide prior written notice to counsel for the FTC, sworn to under penalty of perjury, that he intends to withhold such Assets and shall submit a written report detailing the source (e.g., employment—and, if so, from what employment—or inheritance or gift—and, if so, from whom and when), the location, and the amount of the funds

being withheld. Should the FTC deem the proposed withholding inappropriate, it may move the Court for appropriate relief.

C. Pukke, Baker, and Chadwick shall forever relinquish and no longer have any rights to any and all Assets previously transferred in fact or by operation of law to the Receiver, pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, the Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or the Preliminary Injunction (ECF No. 615) entered on October 3, 2019 (including, without limitation, the Receivership Entities themselves). The Receiver shall retain possession or control of those Assets (including the Receivership Entities themselves) in accordance with the terms of the present Order and the Receiver shall marshal and then liquidate all such assets for the benefit of the FTC, in such sequence and at such time or times as the Receiver in its discretion shall deem appropriate. For clarity, these Assets (including the Receivership Entities themselves) are Receivership Assets. The Receivership Assets (including the Receivership Entities themselves and any Assets turned over to the Receiver in satisfaction of the Equitable Monetary Judgment) shall be held in constructive trust by the Receiver for the sole benefit of the FTC and lot purchasers at Sanctuary Belize, so that the Receiver can disburse assets to the lot purchasers.

D. Pukke, Baker, and Chadwick, and their officers, agents, employees, and attorneys, shall, within thirty (30) days of the entry of this Order, take all steps possible or necessary to transfer to the Receiver all Assets that Pukke, Baker, or Chadwick own or control, directly or indirectly, or which are held for their benefit, that exceed $2,500 in value (as determined by the Receiver) that they have not otherwise been ordered to transfer pursuant to paragraph B above. Said Defendants shall be entitled to the benefit of any homestead law provided by the State of California. Once the Receiver has disbursed to the FTC an amount equal to the Equitable Monetary Judgment, the provisions of this sub-paragraph IV.D shall no longer apply. For clarity, these Assets are Receivership Assets. Additionally, and also for clarity, Pukke, Baker, and

Chadwick each shall have an ongoing obligation, by the end of each calendar month, to apprise the FTC and Receiver of their total current income (and any change in income) and the acquisition of any additional Assets new or used, worth, or potentially worth, more than $2,500. Additionally, Pukke, Baker, and Chadwick each shall, within the same time period, report to the Receiver the acquisition, by any means, of any Asset that may be worth $2,500 or more. Pukke, Baker, and Chadwick each has ongoing obligations to transfer to the FTC, in accordance with instructions from an FTC representative, employment income in an amount up to the maximum allowed under 15 U.S.C. § 1673 (e.g., up to 25% of disposable earnings on a weekly basis), and shall transfer to the Receiver all other Assets, new or used, that they acquire or control, by any other means, valued at more than $2,500, as determined by the Receiver. For clarity, these provisions necessarily pertain to income and Assets acquired after the entry of this Order and these obligations shall continue in effect until the Receivership has been closed by the Court, the Equitable Monetary Judgment has been fully satisfied, or upon further Order of the Court. If, upon the closure of the Receivership the Equitable Monetary Judgment has not been satisfied, Pukke, Baker, and Chadwick each shall make the same reports detailed above to the FTC and, pursuant to instructions from an FTC representative, transfer income and assets to the FTC or for the FTC's benefit pursuant to those instructions. Pukke, Baker, and Chadwick shall make the required reports to the FTC by email to current FTC counsel of record as well as emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

Associate Director for Enforcement, Bureau of Consumer Protection
Federal Trade Commission,
Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
600 Pennsylvania Avenue, NW
Washington, DC 20580.

Within fourteen (14) days after receiving instructions from an FTC representative, Pukke, Baker, and Chadwick shall then transfer, liquidate, and/or dispose of the Asset(s) in accordance with the

FTC's instructions. All reports completed pursuant to this paragraph must be signed and sworn to under penalty of perjury.

E. Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, shall fully cooperate with and assist the FTC and the Receiver with the turnover of Assets pursuant to this Order, and are hereby restrained and enjoined from directly or indirectly:

1. Interfering with the FTC's and Receiver's efforts to manage, or take custody, control, or possession of, the Assets ordered to be turned over to the FTC or the Receiver;

2. Transacting any of the business of any Receivership Entity or any entity that itself is a Receivership Asset;

3. Transferring, receiving, altering, selling, encumbering, pledging, assigning, liquidating, or otherwise disposing of any Assets ordered to be turned over to the FTC or the Receiver; or

4. Refusing to cooperate with the FTC or the Receiver, or the Receiver's duly authorized agents, in the exercise of their duties or authority under any order of this Court.

V. ADDITIONAL MONETARY PROVISIONS

A. Pukke, Baker, and Chadwick shall relinquish dominion and all legal and equitable right, title, and interest in all Assets turned over or relinquished pursuant to this Order and may not seek the return of any Assets, without prior authorization by the Court.

B. All money paid to the FTC pursuant to this Order may be deposited into a fund administered by the FTC or its designee to be used for equitable relief, including consumer redress and any attendant expenses for the administration of any redress fund. Said Defendants

shall have no right to challenge any actions the FTC or its representatives may take pursuant to this paragraph, nor may they otherwise challenge the ultimate disposition of the Assets turned over to the FTC or the Receiver.

C. Within thirty (30) days following the entry of this Order, Defendants Pukke, Baker, and Chadwick each shall complete and submit to the FTC and the Receiver the attached Financial Statement of Individual Defendant. Thereafter, Pukke, Baker, and Chadwick each shall recomplete and submit to the FTC and the Receiver the same form (or similar form to be provided by the FTC) upon one (1) year following the entry of this Order and must recomplete and submit to the FTC that same form every year thereafter until they receive notice from the FTC that they need not continue to complete such forms or they have satisfied in full the Equitable Monetary Judgment. Each such form must be submitted with all of the required and specified attachments. Each such form must be signed and sworn to under penalty of perjury. The forms must be submitted electronically to FTC counsel of record in this matter in a manner to be specified by FTC counsel. Additionally, the forms must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to:

Associate Director for Enforcement, Bureau of Consumer Protection
Federal Trade Commission
Attn: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009
600 Pennsylvania Avenue, NW
Washington, DC 20580.

D. The asset freeze imposed on Pukke, Baker, and Chadwick pursuant to the prior Temporary Restraining Order (ECF No. 13) entered on November 5, 2018, Interim Preliminary Injunction (ECF No. 34) entered on November 20, 2018, or Preliminary Injunction (ECF No. 615) entered on October 3, 2019, is hereby modified to the extent necessary to permit the transfers identified in the Equitable Monetary Judgment Section. Upon full satisfaction of the Equitable Monetary Judgment, the FTC shall make a full report of satisfaction, at which time the Court, upon review and approval of the report, shall dissolve the asset freeze.

E. Upon full satisfaction of the Equitable Monetary Judgment, closure of the Receivership, or a subsequent order of the Court, following formal notice by the Receiver to the Court that the Receiver is satisfied that Pukke and Baker have fully transferred to the Receivership all Assets that they hold greater in value than $2,500 (as determined by the Receiver), the Receiver shall return to Pukke and Baker any passports it holds in their names within thirty (30) days of the giving of notice. The FTC, Pukke, and Baker shall have an opportunity to comment upon such proposed transfer of passports. The return of a passport shall not be construed as a concession that Pukke or Baker has turned over all Assets he is required to turn over pursuant to this Order or that he has satisfied the Equitable Monetary Judgment.

VI. RECEIVER

IT IS FURTHER ORDERED that Robb Evans & Associates LLC is appointed as Receiver for all Assets ordered to be turned over to the Receiver pursuant to this Order. It shall have full powers of an equity receiver. The Receiver shall be solely the agent of this Court in acting as Receiver under this Order.

VII. DUTIES AND AUTHORITY OF RECEIVER

IT IS FURTHER ORDERED that the Receiver is directed and authorized to accomplish the following:

A. Take exclusive control, custody, and possession of all Receivership Assets.

B. Conserve, hold, manage, and prevent the loss of all Receivership Assets, and perform all acts necessary or advisable to preserve the value of those Assets. The Receiver shall assume control over the income and profits therefrom and all sums of money now or hereafter due or owing to any entity that is a Receivership Asset or otherwise due or owing to Pukke, Baker, or Chadwick as a result of any Receivership Assets. The Receiver shall have full power to sue for, collect, and receive, all Receivership Assets. *Provided, however*, that the Receiver shall not, without prior Court approval, attempt to collect any amount from a consumer if the Receiver

believes the consumer's debt has resulted from deceptive acts or practices or other violations of law.

C. Liquidate, through fair market sales or similar transactions, all Receivership Assets, following a motion and order from the Court approving the sale or liquidation. The Receiver shall take steps to attempt to obtain the full fair market value of any Asset that is obtained by the Receivership estate in any sale or liquidation.

D. Disburse periodically to the FTC, lot purchasers, or other third parties as provided by separate Court order, less its Court-approved fees and expenses or reasonably anticipated potential expenses including, without limitation, expenses or liabilities not yet known at the time of the disbursements, as approved by the Court. At the time of a periodic disbursement to the FTC, the Receiver shall also disburse to the FTC the amount of any and all withheld prior anticipated potential expenses that were not in fact incurred.

E. Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order;

F. Make payments and disbursements from the Receivership estate that are necessary or advisable for carrying out the directions of, or exercising the authority granted by, this Order, and to incur, or authorize the making of, such agreements as may be necessary and advisable in discharging his or her duties as Receiver. The Receiver shall apply to the Court for prior approval of any payment of any debt or obligation incurred, except payments that the Receiver deems necessary or advisable to secure Receivership Assets, such as rental payments;

G. Enter into and cancel contracts and purchase insurance as advisable or necessary;

H. Prevent the inequitable distribution of Assets and determine, adjust, and protect tbe interests of consumers who have transacted business with Pukke, Baker, Chadwick, any entity that is a Receivership Asset, or the Receivership Entities;

I. Make an accounting, as soon as practicable, of the Receivership Assets and financial condition of the Receivership and file the accounting with the Court and deliver copies thereof to all parties;

J. Institute, compromise, adjust, appear in, intervene in, defend, dispose of, or otherwise become party to any legal action in state, federal, or foreign courts, or arbitration proceedings as the Receiver deems necessary and advisable to preserve or recover the Receivership Assets, or to carry out the Receiver's mandate under this Order, including but not limited to actions challenging fraudulent or voidable transfers;

K. Demand from any person or entity documents and records pertaining to the Receivership Assets within three (3) days after delivery of the Order by mail, courier, email, or other method by which the recipient receives a copy of this Order, in addition to obtaining discovery pursuant to the Federal Rules of Civil Procedure, including subpoenas seeking documents and/or testimony under Rule 45;

L. Open one or more bank accounts at designated depositories for funds of the Receivership estate. The Receiver shall deposit all funds of the Receivership estate in such designated accounts and shall make all payments and disbursements from the Receivership estate from such accounts. The Receiver shall serve copies of monthly account statements on all parties;

M. Maintain accurate records of all receipts and expenditures incurred as Receiver;

N. Cooperate with reasonable requests for information or assistance from any state or federal civil or criminal law enforcement agency;

O. Suspend business operations of any entity that is a Receivership Asset if in the judgment of the Receiver such operations cannot be continued legally and profitably; and

P. If in the Receiver's judgment the business operations of any Receivership Asset cannot be continued legally and profitably, take all steps necessary to ensure that any of the web

pages or websites relating to the activities of the Receivership Asset cannot be accessed by the public, or are modified for consumer education and/or informational purposes, and take all steps necessary to ensure that any telephone numbers associated with the Receivership Asset cannot be accessed by the public, or are answered solely to provide consumer education or information regarding the status of operations.

VIII. STAY OF ACTIONS

IT IS FURTHER ORDERED that, except by leave of this Court, during the pendency of the Receivership ordered herein, Defendants and their officers, agents, employees, attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, and their corporations, subsidiaries, divisions, or affiliates, and all investors, creditors, stockholders, lessors, customers and other persons seeking to establish or enforce any claim, right, or interest against or on behalf of Defendants, and all others acting for or on behalf of such persons, are hereby enjoined from taking any action that would interfere with the exclusive jurisdiction of this Court over the Receivership Assets, including, but not limited to:

A. Filing or assisting in the filing of a petition for relief under the Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, or of any similar insolvency proceeding on behalf of any entity that is a Receivership Asset;

B. Commencing, prosecuting, or continuing a judicial, administrative, or other action or proceeding against any of the Receivership Assets or otherwise seeking an interest in any of the Receivership Assets, including the issuance or employment of process, except that such actions may be commenced if necessary to toll any applicable statute of limitations;

C. Filing or enforcing any lien on any Receivership Asset, taking or attempting to take possession, custody, or control of any Receivership Asset; or attempting to foreclose, forfeit, alter, or terminate any interest in any Receivership Asset, whether such acts are part of a judicial proceeding, are acts of self-help, or otherwise.

Provided, however, that this Order does not stay: (1) the commencement or continuation of a criminal action or proceeding; (2) the commencement or continuation of an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power; or (3) the enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce such governmental unit's police or regulatory power.

IX. COMPENSATION OF RECEIVER

IT IS FURTHER ORDERED that the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable compensation for the performance of duties pursuant to this Order and for the cost of actual out-of-pocket expenses incurred by them, from the Assets now held by, in the possession or control of, or which may be received by, the Receivership estate. The Receiver shall file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of entry of this Order. The Receiver shall not increase the hourly rates used as the bases for such fee applications without prior approval of the Court. Whenever the Receiver submits such a request for payment, or at other times within the Receiver's discretion, the Receiver shall also submit a report regarding: (1) the steps taken by the Temporary Receiver to implement the terms of this Order; (2) the value of all liquidated and unliquidated Receivership Assets; (3) the sum of all liabilities of any Receivership Asset; (4) the steps the Receiver intends to take in the future to (a) prevent any diminution in the value of the Receivership Assets and (b) acquire additional Assets from Pukke, Baker, Chadwick, or any other person or entity; and (5) any other matter which the Receiver believes should be brought to the Court's attention. *Provided, however*, if any of the required information would hinder the Receiver's ability to pursue Assets, the portions of the Receiver's

report containing such information may be redacted and be filed for the Court's benefit under seal without service on the parties.

X. CUSTOMER INFORMATION

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from directly or indirectly:

A. Failing to provide sufficient customer information to enable the FTC to efficiently administer consumer redress. If a representative of the FTC requests in writing any information related to redress, Pukke, Baker, and Chadwick each shall provide it, in the form prescribed by the FTC, within fourteen (14) days.

B. Otherwise disclosing, using, or benefitting from customer information, including the name, address, telephone number, email address, social security number, other identifying information, or any data that enables access to a customer's account (including a credit card, bank account, or other financial account), that Pukke, Baker, or Chadwick obtained prior to entry of this Order; and

C. Failing to destroy such customer information in all forms in their possession, custody, or control within thirty (30) days after receipt of written direction to do so from a representative of the FTC.

Provided, however, that customer information need not be disposed of, and may be disclosed, to the extent requested by a government agency or required by law, regulation, or court order.

XI. ACKNOWLEDGMENT OF RECEIPT OF ORDER

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall submit acknowledgments of receipt of this Order as follows:

A. Pukke, Baker, and Chadwick each shall, within seven (7) days of entry of this Order, submit to the FTC a written acknowledgment of receipt of this Order, sworn to under penalty of perjury.

B. For each of twenty (20) years after entry of this Order, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is the majority owner of, or controls directly or indirectly, said Defendant shall deliver a copy of this Order to: (1) all principals, officers, directors, and LLC managers and members; (2) all employees having managerial responsibilities for marketing, sales, or operations; and (3) any business entity resulting from any change in structure as set forth in the Section titled Compliance Reporting. Delivery of a copy of this Order must occur within seven (7) days of entry of this Order for current personnel. For all others, Pukke, Baker, and Chadwick shall deliver a copy of this Order before they assume their responsibilities with any such business.

C. From each individual or entity to which Pukke, Baker, or Chadwick delivers a copy of this Order, that Defendant shall obtain, within 30 days, a signed and dated acknowledgment of receipt of this Order.

XII. COMPLIANCE REPORTING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick shall make timely submissions to the FTC:

A. One year after entry of this Order, Pukke, Baker, and Chadwick shall each submit a compliance report, sworn to under penalty of perjury, which shall:

1. (a) identify their primary physical, postal address, email address, and telephone number, as designated points of contact, which representatives of the FTC may use to communicate with Defendant; (b) identify all of that Defendant's businesses, whether owned or controlled by them, directly or indirectly, giving all of their names, telephone numbers, and

physical, postal, email, and Internet addresses; (c) describe the activities of each such business, including the goods and services offered, the means of advertising, marketing, and sales, and the involvement of any other Defendant (which each must describe the other Defendant in detail, including the other Defendant's title, position, compensation, and duties); (d) describe in detail whether and how each Defendant's involvement in each such business is in compliance with each Section of this Order; and (e) provide a copy of each Order Acknowledgment sought and obtained pursuant to this Order, unless previously submitted to the FTC.

2. Additionally, in such compliance report, Pukke, Baker and Chadwick shall: (a) identify all telephone numbers and all their physical, postal, email and Internet addresses, including all residences used by them; (b) identify all business activities, including any business for which such Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, whether directly or indirectly; and (c) describe in detail such Defendant's involvement in each such business, including title, role, responsibilities, participation, authority, control, and any ownership.

B. For each of twenty (20) years after entry of this Order, Pukke, Baker, and Chadwick each shall submit a compliance report, sworn to under penalty of perjury, within fourteen (14) days of any change in the following:

1. (a) any designated point of contact for them; or (b) the structure of any entity that Defendant has any ownership interest in or controls directly or indirectly that may affect compliance obligations arising under this Order, including details as to the creation, merger, sale, or dissolution of the

entity or any subsidiary, parent, or affiliate that engages in any acts or practices subject to this Order.

2. Additionally, each must report any change in: (a) name, including aliases or fictitious name, or residence address of the Defendant; or (b) any title or role in any business activity, including any business for which a Defendant performs services whether as an employee or otherwise and any entity in which such Defendant has any ownership interest, and identify the name, physical address, and any Internet address of the business or entity.

C. Pukke, Baker, and Chadwick each shall submit to the FTC notice of the filing of any bankruptcy petition, insolvency proceeding, or similar proceeding by or against such Defendant, within fourteen (14) days of any such filing.

D. Any submission to the FTC required by this Order to be sworn under penalty of perjury must be true and accurate and must comply with 28 U.S.C. § 1746, such as by concluding: "I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on: _____" and supplying the date, the signatory's full name, title (if applicable), and signature.

E. Unless otherwise directed by an FTC representative in writing, all submissions to the FTC pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to: Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin: *In re Sanctuary Belize Litigation*, 18-cv-3309 (D. Md.), FTC File No. X040009.

F. Notwithstanding any other provision herein, Pukke must maintain the email address ekkup@msn.com, Baker must maintain the email address peterbakerx@gmail.com, and Chadwick must maintain the email address luketchadwick@gmail.com. Also notwithstanding

any other provision herein, service of any notice, process, or other item that requires any form of delivery shall be valid if the FTC serves it: (1) to the appropriate aforementioned email address of the Defendant; (2) to any other email address identified by the Defendant to whom service is directed; or (3) by any other method reasonably calculated to achieve actual notice to the Defendant.

XIII. ALIASES AND NOMINEES

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick individually, collectively, or in any combination, and their officers, agents, employees, and attorneys, and all other persons in active concert or participation with any of them, who receive actual notice of this Order, are permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort in which Pukke, Baker, or Chadwick has consented to, or acquiesced to, the use of an alias or pseudonym by them, for them or for any individual associated with them and are further permanently restrained and enjoined from, directly or indirectly, engaging in any business or commercial activity of any sort through the use of nominees, strawmen, or any other manner by which their ownership or control is obscured or hidden.

XIV. RECORDKEEPING

IT IS FURTHER ORDERED that Pukke, Baker, and Chadwick each shall create certain records for twenty (20) years after entry of the Order, and shall retain each such record for five (5) years. Specifically, for any business that Pukke, Baker, or Chadwick, individually or collectively with any other Defendants, is a majority owner or controls directly or indirectly, each such business shall create and retain the following records:

A. accounting records showing the revenues from all goods or services sold;

B. personnel records showing, for each person providing services, whether as an employee or otherwise, that person's: name; addresses; telephone numbers; job title or position; dates of service; and (if applicable) the reason for termination of such person's services;

C. records of all consumer complaints and refund requests, whether received directly or indirectly, such as through a third party, and any response;

D. all records necessary to demonstrate full compliance with each provision of this Order, including all submissions to the FTC; and

E. a copy of each unique advertisement or other marketing material of the business.

XV. COMPLIANCE MONITORING

IT IS FURTHER ORDERED that, for the purpose of monitoring the compliance of Pukke, Baker, and Chadwick with this Order, including any failure on their part to transfer any assets as required by this Order or otherwise to collect on the Equitable Monetary Judgment:

A. Within fourteen (14) days of receipt of a written request from a representative of the FTC, each Defendant shall: submit additional compliance reports or other requested information, which must be sworn under penalty of perjury; appear for depositions; and produce appropriate documents for inspection and copying. The FTC is authorized to obtain discovery, without further leave of court, using any of the procedures prescribed by Federal Rules of Civil Procedure 29, 30 (including telephonic depositions), 31, 33, 34, 36, 45, and 69.

B. For matters concerning this Order, the FTC is authorized to communicate directly with Pukke, Baker, and Chadwick. Pukke, Baker, and Chadwick shall permit representatives of the FTC to interview any employee or other person affiliated with any entity any of them may own or control, directly or indirectly, who has agreed to such an interview. The person interviewed may have counsel present.

C. The FTC may use all other lawful means to interact with Pukke, Baker, Chadwick, or any individual or entity they are associated or affiliated with, including posing

undercover through its representatives, as consumers, suppliers, or other individuals or entities, without the necessity of identification or prior notice.

D. Nothing in this Order shall limit the FTC's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

E. Upon written request from a representative of the FTC, any consumer reporting agency must furnish consumer reports concerning Pukke, Baker, and Chadwick, pursuant to Section 604(1) of the Fair Credit Reporting Act, 15 U.S.C. §1681b(a)(1).

F. As should already be clear, the parties must at all times act reasonably and in good faith. Unreasonable requests for information or unreasonable refusal to comply with such requests may result in sanctions, including the payment of attorneys' fees.

XVI. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court retains jurisdiction of this matter for purposes of construction, modification, and enforcement of this Order.

SO ORDERED, this 24 day of March, 2021.

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
SOUTHERN DIVISION

In re SANCTUARY BELIZE LITIGATION	No: 18-cv-3309-PX

[PROPOSED] ORDER GRANTING MOTION FOR APPROVAL OF REDRESS DISTRIBUTION AND RELATED RELIEF

The Motion for Approval of Redress Distribution and Related Relief (the "Motion") filed by the Receiver, Marc-Philip Ferzan of Ankura Consulting Group, LLC ("Receiver"), came before this Court for determination pursuant to regularly noticed motion. The Court, having read and considered the Motion and all pleadings and evidence filed in support thereof, and opposition to the Motion, if any, and the Court having determined that notice of the Motion was sufficient, and good cause appearing therefore, it is

ORDERED that:

1. The Motion is granted;

2. The Receiver is authorized to and shall make a $5,891,913.46 ("Distribution Amount") distribution on a pro rata basis to Consumers[1] of Sanctuary Belize lots with Claim Applications deemed eligible in accordance with the notifications provided by the Receiver on or about February 9, 2023 ("Eligible Claim Notifications"). The calculation for pro rata distribution payments shall be based on the Amount Paid set forth in the Eligible Claim Notification for each

[1] Capitalized terms in this Order shall have the meaning ascribed to them in the Redress Plan (Doc. 1117-1) unless otherwise defined herein.

Sanctuary Belize lot divided by the aggregate Amounts Paid set forth in all Eligible Claim Notifications associated with Sanctuary Belize lots.

3. The Distribution Amount may be increased in the event any additional Individual Lot Purchase Proceeds (as defined in the Motion) are released from escrow prior to the Receiver directing the printing of redress checks.

4. All redress distributions must be accepted and deposited by Eligible Consumers within 60 days from the date of issue barring extenuating circumstances; otherwise such payments shall revert to the receivership estate.

5. The receivership estate is authorized to reserve the remaining funds in the estate of approximately $600,000, in addition to the Individual Lot Purchase Proceeds that are not released from escrow, including for the payment of expenses of the receivership estate, including, without limitation, Court approved professional fees and costs. The Court finds that the reserve is fair and equitable, including that the reserve does not include amounts for any potential pre-receivership, non-consumer creditor or tax claims.

6. All determinations relating to the following through the date of this Order are final: (i) the administration of the consumer claims process and the consumer Lot Choice Survey (as defined in the Motion); (ii) the sale or other disposition of assets of the receivership estate; (iii) ownership rights relative to Sanctuary Belize and Kanantik lots; (iv) the apportionment of consumer redress payments; and (v) all other matters concerning the administration of the receivership estate.

7. The exercise of all powers, duties, and responsibilities undertaken by the Receiver and its agents, employees, members, officers, independent contractors, attorneys, accountants and representatives pursuant to, and in accordance with, the Court's orders shall not be subject to

challenge through litigation or motion practice without first obtaining leave of this Court based on a sufficient showing that the asserted claim is made in good faith, has not been previously resolved based on prior orders or established case law, and is otherwise cognizable.

Dated:

____
HONORABLE PAULA XINIS
UNITED STATES DISTRICT JUDGE