UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Case Number: 17-60907-CIV-MORENO

FEDERAL TRADE COMMISSION, et al.,

Plaintiffs,

vs.

JEREMY LEE MARCUS, et al.,

Defendants.

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ORDER ADOPTING IN PART MAGISTRATE JUDGE AUGUSTIN-BIRCH'S REPORT AND RECOMMENDATIONS AND GRANTING RECEIVER'S MOTION FOR FEES AND EXPENSES

THE MATTER was referred to the Honorable Panayotta Augustin-Birch, United States Magistrate Judge, for a Report and Recommendation on Receiver's Final Motion for Award of Professional Fees and Reimbursement of Expenses (D.E. 585) filed on **October 8, 2024**. The Magistrate Judge filed a Report and Recommendation (D.E. 593) on **January 8, 2025**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, it is

ADJUDGED that United States Magistrate Judge Augustin-Birch's Report and Recommendation is **AFFIRMED in part**. The Report and Recommendation reduced the hourly fees for the Receiver's counsel and forensic accountants by 50% in deference to this Court's prior ruling (D.E. 535). While the Court appreciates that Magistrate Judge Augustin-Birch deferred to this Court's prior ruling, the Court finds it appropriate to revisit its ruling requiring a 50% reduction. Based on there being no objection to a full award of fees and given the exceptional recovery for the victims of the fraud in this case, the Court authorizes the Receiver to

pay the professionals their full fees. In so doing, the Court notes that the professionals working on this matter had already taken reduced rates and did not ask to increase those rates since this case began in 2017. Accordingly, it is

ADJUDGED that the Receiver's Final Motion for Award of Professional Fees and Reimbursement of Expenses is GRANTED. The Receiver is authorized to pay the following:

(1) $146,184 in hourly fees and $24,766.31 in costs for his counsel, Genovese Joblove & Battista, P.A. and Venable LLP;

(2) $265,543.10 in hourly fees and $4,108.02 in costs to his forensic accountants, KapilaMukamal LLP;

(3) $4,785.35 in hourly fees for North Carolina counsel, Carter & Carter P.A.; and

(4) $430,164.23 in contingency fees and $25,459.44 in costs on contingency fee matters to Venable LLP.

DONE AND ORDERED in Chambers at Miami, Florida, this 20th of February 2025.

FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies furnished to:
United States Magistrate Judge Panayotta Augustin-Birch
Counsel of Record