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June 24, 2024

Via ECF
Honorable Julien Xavier Neals, U.S.D.J.
United States District Court of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Courtroom 5D
Newark, New Jersey 07102

Re: Federal Trade Commission
v. TheFBAMachine, Inc., *et al.*
Civil Action No. 24-6635 (JXN)(LDW)

Dear Judge Neals:

I am the Temporary Receiver ("Temporary Receiver") appointed in the above-captioned matter, commenced by the Federal Trade Commission ("FTC") on June 3, 2024 ("Filing Date") as against The FBA Machine Inc., Passive Scaling Inc., Sales.Support New Jersey Inc., 1HR Deliveries Inc., Hourly Relief Inc., 3PL Logistics Automation Inc., FBA Support NJ Corp., Daily Distro LLC, and Closter Green Corp d/b/a Wraith & Co. and Bratislav Rozen a.k.a. Steven Rozenfeld and Steven Rozen ("Mr. Rozenfeld"), individually and as an officer of The FBA Machine Inc., Passive Scaling Inc., Sales.Support New Jersey Inc., 1HR Deliveries Inc., Hourly Relief Inc., 3PL Logistics Automation Inc., FBA Support NJ Corp., Daily Distro LLC, and Closter Green Corp d/b/a Wraith & Co. (the "Receivership Entities"), and as amended on June 14, 2024 to name Amanda Rozenfeld a/k/a Amanda Peremen and Amanada Peremen. Along with my firm, McManimon, Scotland & Baumann, LLC, I have conducted extensive due diligence which includes interviewing existing and former customers of the Receivership Entities' customers.

Based on my initial investigation, I am not continuing operations at this time. I must, however, remove and ship existing inventory and process returns located at the Receivership Entities' facility located at 2011 Eighth Street, North Bergen, New Jersey ("North Bergen Facility") (the "Order Fulfillment"). To assist and complete the Order Fulfillment task, I intend to utilize the six (6) existing employees at that facility ("Existing Employees"). I am informed that the payroll for the Existing Employees is approximately $5,000 per week and note that there is one week's past-due wages due and owing. If any of the Existing Employees are unable or unwilling to return to complete the task, I intend on hiring replacement employees on the same or similar employment terms as the Existing Employees.

Moreover, I am informed that approximately $8,000 is owed to the shipping company(ies) utilized by (but unrelated to) the Receivership Entities, and additional costs will be incurred in connection with the Order Fulfillment. Mr. Rozenfeld will not be involved with any aspect of the Order Fulfillment, unless explicitly requested or required by me.

I have been utilizing the services of Fulvio DiPaolo ("Mr. DiPaolo") to assist in supervising the securing of and overseeing the North Bergen Facility. I have utilized Mr. DiPaolo in prior cases, and he has extensive experience is assisting receivers, trustees and assignees in winding down businesses.

I note that there is approximately $150,000 that has been frozen in several accounts in the name of the Receivership Entities. Your Honor has already authorized me to open an account in my name for this Estate pursuant to the Temporary Restraining Order entered on June 3, 2024, as same was amended on June 15, 2024. I am now requesting an Order authorizing the transfer of the frozen funds to my receivership account so I can pay wind down expenses including the Existing Employees (and any new employees hired for the Order Fulfillment, if any), shippers and Mr. DiPaolo incurred in the ordinary course. In connection therewith, attached please find a proposed form of Order memorializing such authority.

I respectfully request that Your Honor enter the Order. As always, Your Honor's consideration of this request is much appreciated.

Respectfully submitted,

/s/ Anthony Sodono, III

Anthony Sodono, III

cc: Frances Kern, Esq.
Colleen B. Robbins, Esq.
Mikhail Usher, Esq.
Michele M. Dudas, Esq.
Sari B. Placona, Esq.