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15292-001

September 13, 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)
Motion of Anthony Sodono, III, Temporary Receiver, to Approve and Authorize Payment of Fees and Expenses Through July 31, 2024 to: (I) McManimon, Scotland & Baumann, LLC, as Counsel to Temporary Receiver; and (II) Eisner Advisory Group LLC, Accountants to Temporary Receiver
Return Date: October 7, 2024

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.

On August 27, 2024, I filed a Motion to Approve and Authorize Payment of Fees and Expenses Through July 31, 2024 to: (I) McManimon, Scotland & Baumann, LLC ("MSB"), as Counsel to Temporary Receiver; and (II) Eisner Advisory Group LLC ("Eisner"), Accountants to Temporary Receiver ("Motion") [ECF 64], which is currently returnable before the Court on October 7, 2024.

As an initial matter, the Motion seeks an award of fees of $148,624.00 and expenses of $2,915.26, for a total award of $151,539.26. Said amount already includes a voluntary twenty (20%) percent discount in excess of $35,000.[1] Please be advised that the Motion is hereby modified to reflect a further voluntarily reduction by MSB of 6.1 hours totaling $2,641.20, reducing the total amount sought for fees from $148,624.00 to $145,982.80. Therefore, the total award requested is reduced to $148,898.06.

Second, given the current limited funds on hands in the Receivership Estate and in consideration of the impact on the consumer victims, should Your Honor grant the Motion and award the fees, MSB has agreed to limit payment at this time to $50,000 and Eisner has agreed to limit payment to $10,000, with the intention of revisiting whether additional distribution(s) can be made.

We thank the Court for its consideration.

Respectfully submitted,

/s/ Anthony Sodono, III

Anthony Sodono, III

cc: Frances Kern, Esq.
Colleen B. Robbins, Esq.
Mikhail Usher, Esq.
Alexander Susi, Esq.
Mark M. Makhail, Esq.
Ryan Magee, Esq.
Michele M. Dudas, Esq.
Sari B. Placona, Esq.

[1] *See* Footnote 1 to Application. Eisner also imposed a voluntary twenty (20%) percent discount.