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*Attorneys for Michael Grow and Dan Altamirano*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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FEDERAL TRADE COMMISSION and  
UTAH DIVISION OF CONSUMER  
PROTECTION,

Plaintiffs,

v.

ZURIXX, LLC, et al.,

Defendants.

**MEMORANDUM IN OPPOSITION TO  
MOTION TO LIFT STAY IN ANCILLARY  
CASES AND TO ALLOW THE RECEIVER  
TO FILE ADDITIONAL ANCILLARY  
CASES**

Case No. 2:19-cv-00713-DAK-DAO

District Judge Dale A. Kimball

Magistrate Judge Daphne A. Oberg

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Non-parties Michael Grow (“Grow”) and Daniel Altamirano (“Altamirano”), by and through their undersigned counsel of record, submit this memorandum in opposition to the Motion to Lift Stay in Ancillary Cases and to Allow the Receiver to File Additional Ancillary Cases [Dckt. No. 423] (the “Motion to Lift Stay”).

**ARGUMENT**

Grow and Altamirano are non-parties who have been sued in ancillary lawsuits by David K. Broadbent as the receiver for Zurixx, LLC and various related parties (the “Receiver”). The

Receiver's ancillary lawsuit against Grow is Case No. 2:20-cv-548; the Receiver's ancillary lawsuit against Altamirano is Case No. 2:20-cv-544. Both of these ancillary lawsuits were stayed and administratively closed pursuant to the Court's Memorandum Decision and Order dated November 8, 2021 [Dckt. No. 333]. Now the Receiver asks the Court, on an expedited basis and without proper notice to Grow or Altamirano, to lift the stay in those ancillary lawsuits.

Grow and Altamirano oppose to the Motion to Lift Stay. As their opposition, they incorporate the arguments and authorities set forth in the Memorandum Opposing Receiver's Motion to Lift Stay filed by non-party Christopher Young on November 4, 2022 [Dckt. No. 429]. The arguments set forth in that opposition memorandum apply with equal force to Receiver's request to lift the stay and proceed with the ancillary cases against Grow and Altamirano. Accordingly, the Court should deny the Motion to Lift Stay.

DATED this 4th day of November 2022.

MITCHELL BARLOW & MANSFIELD, P.C.

/s/ Andrew V. Collins

J. Ryan Mitchell

Andrew V. Collins

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I certify that on this 4th day of November 2022, I caused a true and correct copy of the foregoing **MEMORANDUM IN OPPOSITION TO MOTION TO LIFT STAY IN ANCILLARY CASES AND TO ALLOW THE RECEIVER TO FILE ADDITIONAL ANCILLARY CASES** to be filed via the Court's electronic filing system, which automatically provides notice to counsel of record.

/s/ Andrew V. Collins