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

FEDERAL TRADE COMMISSION, and
UTAH DIVISION OF CONSUMER
PROTECTION,

Plaintiffs,

vs.

ZURIXX, LLC, a Utah limited liability
company, *et al.*,

Defendants.

**ORDER APPROVING THE
RECEIVER'S FINAL REPORT
AND GRANTING MOTION FOR
ORDER AUTHORIZING: (1)
DISTRIBUTION TO PLAINTIFF
FEDERAL TRADE COMMISSION
FOR CONSUMER REDRESS, (2)
PAYMENT OF FINAL EXPENSES,
AND (3) TERMINATION OF
RECEIVERSHIP ESTATE**

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

David K. Broadbent, as receiver (the "Receiver") for Defendants Zurixx, LLC and related entities (collectively, "Zurixx"), filed his Final Report and Motion for Order Authorizing: (1) Distribution to Plaintiff Federal Trade Commission for Consumer Redress, (2) Payment of Final Expenses, and (3) Termination of Receivership (Dkt. No. 446; the "Motion") on July 28, 2023.

Having considered the Motion, and good cause appearing, the Court HEREBY ORDERS as follows:

1. The Receiver's Final Report is APPROVED;
2. The Motion is GRANTED and APPROVED;
3. The Receiver authorized to distribute the funds held in the receivership estate to the Federal Trade Commission as requested in Motion, with the exception of a reserve in the amount of \$150,000 to pay for final receivership expenses;
 - a. If funds remain in the reserve following the payment of final expenses, or in the event the Receiver obtains any additional funds (the Receiver believes this is unlikely), the Receiver is authorized to distribute such remaining and additional funds to the Division of Consumer Protection to be deposited in the Division's Consumer Education and Training Fund and used consistent with state law (Utah Code Ann. §13-2-8);
4. The Receiver is authorized to pay final expenses of the receivership estate, including the Receiver's and his Retained Professionals' fees without the need for further approval from the Court;
5. The Receiver is authorized to assign the Efron Dorado Judgment to the Plaintiff Utah Division of Consumer Protection for further collection and liquidation;
6. Distributions and payments the Receiver makes pursuant hereto shall have priority over any and all other claims, and specifically over any claims made by David Efron and Efron Dorado, S.E.;
7. The Receiver is authorized to destroy the physical files of the receivership entities that he has stored since the inception of this receivership case upon (1) the expiration of the deadline for any person to file a notice of appeal in connection with this receivership or (2) the

exhaustion of any appeal and any further proceedings before this Court following an appeal, whichever is later;

8. The electronic files of the receivership entities and the files generated by the Receiver and his Retained Professionals during the receivership shall be retained and destroyed according to the Receiver's and his Retained Professionals' record retention policies and/or seven years after the close of this case, whichever is longer;

9. The Receiver and his Retained Professionals are discharged of all their obligations under the Judgment, as well as the Stipulated Preliminary Injunction Order and any other orders entered in this case or any ancillary case, as well as any other duties or obligations incident to the Receiver's appointment or service as Receiver or advisor to Receiver in this case upon the completion of the tasks outlined above and: (1) the expiration of the deadline for any person to file a notice of appeal in connection with this receivership or (2) the exhaustion of any appeal and any further proceedings before this Court following an appeal, whichever is later;

10. The Receiver and his Retained Professionals are released and discharged from any and all claims, causes of action, suits, charges, complaints, counterclaims, actions, grievances, demands, rights, accounts, judgments, damages, costs and all other liabilities of any kind or description whatsoever, whether direct or indirect, known or unknown, in law or in equity, even if willful misconduct is asserted, which anyone has, or will have, against them for matters arising from their administration of the receivership estate, including, without limitation, (1) any claim concerning or relating to the filing of any local, state, or federal tax returns for the receivership estate; (2) any liability to any person or entity for any action taken in connection

with the receivership, including, without limitation, actions taken in connection with carrying out any orders entered in this case;


11. The Receiver is authorized to make any remaining distributions upon (1) the expiration of the deadline for any person to file a notice of appeal in connection with this receivership or (2) the exhaustion of any appeal and any further proceedings before this Court following an appeal, whichever is later;

12. The receivership is terminated upon the completion of the tasks outlined above and: (1) the expiration of the deadline for any person to file a notice of appeal in connection with the receivership or (2) the exhaustion of any appeal and any further proceedings before this Court following an appeal, whichever is later; and

13. Notwithstanding the foregoing, in the event of an appeal from the Court's final order in this case, the Receiver is authorized to address the appeal and any subsequent proceedings and to retain funds as necessary to do so.

DATED this 15th day of August, 2023.

BY THE COURT:


Honorable Dale A. Kimball
U.S. District Court Judge

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