

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
(Palm Beach Division)**

Case No. 9:19-CV-80633-ROSENBERG

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

NATURAL DIAMONDS INVESTMENT CO.,
et al.,

Defendants,

H.S. MANAGEMENT GROUP LLC, et al.,

Relief Defendants.

**RECEIVER’S UNOPPOSED MOTION FOR TRANSFER OF FUNDS
PREVIOUSLY DEPOSITED INTO REGISTRY OF THE COURT**

Jeffrey C. Schneider, not individually, but solely in his capacity as the Court-appointed Receiver (the “Receiver”) for Natural Diamonds Investment Co. (“NDIC”), Eagle Financial Diamond Group, Inc. (“EFDG”), and Argyle Coin, LLC (“Argyle”) (collectively, the “Receivership Entities”), moves the Court for the transfer of funds (further described below) previously deposited into the registry of the Court.

A. Background

1. On May 16, 2019, the Court appointed the Receiver for Argyle in the Order Granting Plaintiff Securities and Exchange Commission’s Motion for Appointment of Receiver [DE 20] (the “Appointment Order”).

B. The Funds Deposited into the Registry of the Court

2. Plaintiff Securities and Exchange Commission (the “SEC”) settled its claims with Relief Defendants Winners Church International Inc. of West Palm Beach Florida (“Winners Church”) and Fredrick and Whitney Shipman (collectively, the “Shipmans”). The settlements were memorialized in various signed and filed Consents by Winners Church and the Shipmans [DE 148-1, 149-1, 150-1].

3. On December 11, 2019, the Court issued Final Judgments against Winners Church and the Shipmans [DE 164-166].

4. The Final Judgments required Winners Church and the Shipmans to deposit specified funds into the registry of the Court within certain timeframes. Those Final Judgments also set forth the mechanics for transferring funds to the Receiver.

5. On December 20, 2019 (and docketed on December 23, 2019), Winners Church and the Shipmans deposited various funds totaling \$1,444,221.58 into the registry of the Court [DE 170-174]. On January 2, 2020 (and docketed on January 3, 2020), Frederick Shipman deposited an additional \$229,372.06 [DE 177]. On May 29, 2020, Frederick Shipman deposited an additional \$24,078.00 [DE 205]. On July 16, 2020, Frederick Shipman deposited an additional \$287,799.07 [DE 222 and 223]. Therefore, as of this filing, \$1,985,470.71 in total has been deposited into the registry of the Court by Winners Church and the Shipmans.

C. The Requested Transfer of Funds to the Receiver

6. Pursuant to the Final Judgments, the Receiver is permitted to file a motion for transfer of the deposited funds to the Receiver for the benefit of the Receivership Estate and its victims. As such, the Receiver is filing this Motion.

7. The two predicates for this Motion have occurred. First, the funds at issue must be deposited into the registry of the Court. As stated above, funds totaling \$1,985,470.71 have already been deposited into the registry of the Court. Second, an order of disgorgement must be entered against either Eagle, Natural, Argyle, and/or Aman. On February 12, 2021, the Court issued final judgments that included disgorgement orders against Eagle, Natural and Argyle, all three Receivership Entities [DE 279].

8. Therefore, this Motion is now ripe. Assuming the Court grants this Motion, the Receiver will deposit the funds into the receivership account opened for purposes of this proceeding and will use those funds for the benefit of the Receivership Estate and its victims.

D. Local Rule Certification

9. Pursuant to Local Rule 7.1(a)(3), the Receiver hereby certifies that he has conferred with counsel for the SEC and the remaining defendant (Jose Aman) regarding the requested relief.

10. The SEC and Mr. Aman have no objection to this Motion.

WHEREFORE, the Receiver respectfully requests that this Court grant this Motion, issue the proposed Order attached as Exhibit A, and provide such other relief as is just and proper.

Dated: February 12, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who do not receive such.

By: /s/ Stephanie Reed Traband
STEPHANIE REED TRABAND

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EXHIBIT A

**UNITED STATES DISTRICT COURT
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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

NATURAL DIAMONDS INVESTMENT CO.,
et al.,

Defendants,

H.S. MANAGEMENT GROUP LLC, et al.,

Relief Defendants.

**ORDER GRANTING RECEIVER'S MOTION FOR TRANSFER
OF FUNDS PREVIOUSLY DEPOSITED INTO REGISTRY OF THE COURT**

THIS CAUSE came before the Court upon the Receiver's Motion for Transfer of Funds Previously Deposited into Registry of the Court (the "Motion") [DE ____]. Having reviewed the Motion and the record in this case, the Court finds granting the Motion is in the Estate's best interests. Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Receiver's Motion is **GRANTED**.
2. The Clerk of Court shall transfer from the registry of the Court to the Receiver, Jeffrey C. Schneider, the funds previously deposited for this matter totaling \$1,985,470.71 as memorialized in DE 170-174 and 177.
3. Funds shall be payable to "Jeffrey C. Schneider, Receiver for Argyle Coin, LLC" and sent by check, wire, or by any other means deemed to be most efficient and agreed to by the

Clerk and the Receiver. The Receiver's mailing address: Jeffrey C. Schneider, 201 South Biscayne Boulevard, 22nd Floor, Citigroup Center, Miami, FL 33131.

DONE and ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida on this ___ day of February, 2021.

ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Copies to Counsel of Record