IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| SECURITIES AND EXCHANGE | § | |
|------------------------------|---|--------------------------------|
| COMMISSION, | § | |
| | § | |
| Plaintiff, | § | |
| | § | |
| VS. | § | |
| | § | |
| MAURICIO CHAVEZ, GIORGIO | § | CIVIL ACTION NO. 4:22-CV-03359 |
| BENVENUTO and CryptoFX, LLC, | § | |
| | § | JUDGE ANDREW S. HANEN |
| Defendants. | § | |
| | § | |
| CBT Group, LLC, | § | |
| | § | |
| Relief Defendant. | § | |
| | | |

RECEIVER'S UNOPPOSED MOTION TO EMPLOY BLOCKTRACE, LLC AS CRYPTOCURRENCY CONSULTANTS

John Lewis, Jr., as the Court-appointed Receiver in the above-referenced action, respectfully moves the Court for an order approving the retention of BlockTrace, LLC to serve as the Receiver's cryptocurrency consultants in this matter. In support of this Motion, the Receiver states the following:

- 1. On September 19, 2022, the Securities and Exchange Commission ("SEC") filed a Complaint against Defendants Mauricio Chavez, Giorgio Benvenuto, CryptoFX, LLC, and CBT Group, LLC (together "Receivership Defendants"). ("Complaint," Doc. No. 3). The Complaint alleges that Defendants perpetrated a multi-million dollar securities fraud directed at Latino investors. *Id*.
- 2. On September 29, 2022, upon motion of the SEC, the Court entered an Order Appointing John Lewis, Jr. as Receiver in this matter ("Receivership Order"). (Doc. No. 11). The

Receivership Order authorizes the Receiver without further order of this Court to, among other things, engage and employ professionals. *See* Receivership Order at ¶ 7(f). However, in the interest of transparency, and out of abundance of caution, the Receiver seeks this Court's approval, with notice to all parties of record, including the SEC, for leave to employ BlockTrace as a Retained Personnel, as defined in the Receivership Order. *See* Receivership Order at ¶ 56.

- 3. The Receiver seeks permission to employ BlockTrace, LLC and its Director of Investigations James Daniels ("Daniels") to assist him in effectively carrying out his duties under the Receivership Order.
- 4. BlockTrace specializes in blockchain forensics and analytical services. The company is based in Austin, TX.¹ Daniels has served as Director of Investigations for BlockTrace since October 2020. Daniels as several years of experience in cryptocurrency tracing and related investigations. He worked as a Special Agent with the Internal Revenue Service, Criminal Investigation ("IRS-CI") for 25 years from 1995 through 2020, and since 2016 was responsible for the program areas of cryptocurrency and the dark web.
- 5. The Receiver proposes, with approval of this Court, to compensate BlockTrace and Daniels on an hourly basis. The firm will charge an hourly rate of \$360, which represents a 15% discount from the company's standard hourly rate of \$425.
- 6. The Receiver and other Retained Personnel will seek compensation and expense reimbursement upon approval of the Court and as further described in the Receivership Order.
- 7. BlockTrace and Daniels do not represent any other party to this case and, based on the information currently available, do not represent any other person or entity with an interest in

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¹ https://www.blocktrace.com/

this matter. A Declaration Pursuant to Order Appointing Receiver signed by James Daniels, Director of Investigations for BlockTrace, is attached as Exhibit "A."

ACCORDINGLY, the Receiver, John Lewis. Jr., requests that the Court enter an order permitting him to retain BlockTrace and Daniels as set forth herein.

Dated: January 3, 2023 Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ Sonila Themeli

Sonila Themeli Texas Bar No. 24073588 S.D. Tex. Bar No. 2828237 600 Travis Street, Suite 3400 Houston, TX 77002

Telephone: 713.227.8008 Facsimile: 713.227.9508

sthemeli@shb.com

Caroline M. Gieser (admitted *pro hac vice*)
SHOOK, HARDY & BACON L.L.P.
1230 Peachtree Street, NE, Suite 1200
Atlanta, GA 30309
Telephone: 470.867.6000

mcgieser@shb.com

Counsel for Court-Appointed Receiver

CERTIFICATE OF CONFERENCE

I hereby certify that that I have conferred with Plaintiff's counsel as well as counsel for Defendant Mauricio Chavez and counsel for Defendant Giorgio Benvenuto regarding this Motion.

All counsel have stated that they are not opposed to the relief requested in this Motion.

| /s/ Sonila Themeli | |
|--------------------|--|
| Sonila Themeli | |

CERTIFICATE OF SERVICE

I hereby certify that on this the 3rd day of January, 2023, the above and foregoing document was filed electronically through the CM/ECF system, which sent notification of such filing to all known counsel of record as follows:

Matthew J. Gulde
UNITED STATES SECURITIES
AND EXCHANGE COMMISSION
Burnett Plaza, Suite 1900
801 Cherry Street, Unit 18
Fort Worth, TX 76102
Telephone: 817.978.1410
Facsimile: 817.978.4927

guldem@sec.gov

Counsel for Plaintiff United States Securities and Exchange Commission Paul D. Flack
PRATT & FLACK, LLP
4306 Yoakum Blvd., Suite 500
Houston, TX 77006
Telephone: 713.705.3087
pflack@prattflack.como

Counsel for Defendant Mauricio Chavez

Dan L. Cogdell Jones, Walker L.L.P. 811 Main Street, Suite 2900 Houston, TX 77002 Telephone: 713.437.1869 Facsimile: 713.437.1810 dcogdell@joneswalker.com

Counsel for Defendant Giorgio Benvenuto

/s/ Sonila Themeli
Sonila Themeli

EXHIBIT A

DECLARATION PURSUANT TO ORDER APPOINTING RECEIVER (Doc. No. 11)

The Undersigned hereby declares under penalty of perjury:

- 1. I am the Director of Investigations for BlockTrace, LLC, a company based in Austin, Texas.
- 2. BlockTrace requests Court approval to be retained as cryptocurrency consultants to John Lewis, Jr., in his capacity as Court-Appointed Receiver in this case. To the best of my knowledge, after formal conflict check, BlockTrace has no professional, business or other connection to any party in this matter. Further, BlockTrace represents no interest adverse to this Receivership estate in connection to the matters upon which BlockTrace is to be engaged.
- 3. Pursuant to the Receivership Order, BlockTrace will not expect or receive any compensation from the Receivership Estate except upon application to and approval by the Court.

This 3rd day of January, 2023.

James Daniels

James P. Dank

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ORDER GRANTING RECEIVER'S UNOPPOSED MOTION TO EMPLOY BLOCKTRACE, LLC AS CRYPTOCURRENCY CONSULTANTS

This cause, having come before the Court on the Receiver's Unopposed Motion to Employ BlockTrace, LCC to serve as the Receiver's cryptocurrency consultants in this matter, and the Court, having considered the Motion and all other relevant facts, finds the Motion to be good, and the same is hereby granted. It is, therefore,

ORDERED that Receiver, John Lewis, Jr. is permitted to retain BlockTrace, LCC to serve as the Receiver's cryptocurrency consultants in this matter.

SIGNED this _____ day of _______, 2023.

HON. ANDREW S. HANEN United States District Court Judge