

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**BRENDA SMITH, BROAD REACH
CAPITAL, LP, BROAD REACH
PARTNERS, LLC, and BRISTOL
ADVISORS, LLC,**

Defendants.

C. A. No. 2:19-cv-17213 (MCA)

Return Date: Jan. 4, 2021

**NOTICE OF MOTION OF RECEIVER, KEVIN D. KENT, ESQUIRE, FOR
APPOINTMENT OF REAL PROPERTY APPRAISERS AND APPROVAL
TO RETAIN REALTOR**

PLEASE TAKE NOTICE that the undersigned, on behalf of the Receiver, Kevin D. Kent, Esq. will move before the Honorable Madeline Cox Arleo, U.S.D.J., United States District Court for the District of New Jersey, Martin Luther King Jr. Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, on January 4, 2021, or as soon thereafter as the Court permits, at a date and time to be determined by the Court, for Appointment of Real Property Appraisers and Approval to Retain Realtor.

PLEASE TAKE FURTHER NOTICE THAT, in support of this Motion, the undersigned will rely upon the accompanying Memorandum of Law, which is incorporated herein by reference.

PLEASE TAKE FURTHER NOTICE that the undersigned requests that the proposed form of Order submitted herewith be entered by the Court.

Respectfully submitted,

Dated: 12/2/2020

s/ Robin S. Weiss
Robin S. Weiss, Esquire
Andrew S. Gallinaro, Esquire.
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*Attorneys for Receiver, Kevin D. Kent,
Esq.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**BRENDA SMITH, BROAD REACH
CAPITAL, LP, BROAD REACH
PARTNERS, LLC, and BRISTOL
ADVISORS, LLC,**

Defendants.

C. A. No. 2:19-cv-17213 (MCA)

Return Date: Jan. 4, 2021

**MEMORANDUM OF LAW IN SUPPORT OF MOTION OF RECEIVER,
KEVIN D. KENT, ESQUIRE, FOR APPOINTMENT OF REAL PROPERTY
APPRAISERS AND APPROVAL TO RETAIN REALTOR**

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Dated: 12/2/2020

Pursuant to the Court’s Order Appointing Receiver dated June 29, 2020 and 28 U.S.C. § 2001, Kevin D. Kent, Esq., Receiver, hereby moves for this Court to appoint appraisers to ascertain the market value of Receivership real property located in Tangipahoa Parish, Louisiana, and further moves for approval of the Court to retain a realtor to market those properties. In support of this Motion, the Receiver states as follows.

I. STATEMENT OF FACTS

The Receiver, Kent D. Kent, Esq., has been appointed by Order of this Court dated June 29, 2020 (“Receivership Order”), to assume control of, marshal, pursue and preserve the Receivership Assets. The Receivership Assets include assets of Defendants, Brenda Smith (“Smith”); Broad Reach Capital, LP; Broad Reach Partners, LLC; and Bristol Advisors, LLC (“Defendants”); and all affiliated companies owned or controlled by one or more of the Defendants, including BA Smith & Associates LLC; Bristol Advisors LP; CV Brokerage, Inc.; Clearview Distribution Services LLC; CV International Investments Limited; CV International Investments PLC; CV Investments LLC; CV Lending LLC; CV Minerals LLC; BD of Louisiana, LLC; TA 1, LLC; FFCC Ventures LLC; Prico Market LLC; GovAdv Funding LLC; Elm Street Investors LLC; Investment Consulting LLC; and Tempo Resources LLC (“Affiliated Entities”), including the known assets set forth in Paragraphs 2 and 3 of the Receivership Order, which

specifically includes “certain real property at David[sic] Road and Adams Road, Parish of Tangipahoa, Louisiana.” Receivership Order, pp. 1-2, ¶ 2.

The Receiver has located four (4) parcels in Tangipahoa Parish, Louisiana, which are part of the Receivership Estate, as follows:

- Assessment No. 3418405, Davis Road
- Assessment No. 4104900, Adams Road
- Assessment No. 5615305, 17091 Highway 1064 East
- Assessment No. 6157491

One property, made up of two contiguous parcels, is owned by Receivership Party, BD of Louisiana LLC (Assessment Nos. 3418405 & 4104900) (“BD of Louisiana Property”), and another property, owned by Defendant, Brenda Smith, is made up of the other two contiguous parcels (Assessment Nos. 5615305 & 6157491) (“Smith Property”) (collectively, “Tangipahoa Properties”). The Receiver hereby moves for the Court to appoint appraisers to ascertain the market value of the Tangipahoa Properties. The Receiver further moves for Court approval to retain a realtor to market these properties, in the interest of exploring the possibility of a private sale of these properties.

II. ARGUMENT

Pursuant to the Receivership Order, this Court has exclusive jurisdiction and possession of the Receivership Assets, including the real property owned by Brenda Smith (“Smith”) and BD of Louisiana in Tangipahoa Parish, Louisiana. Receivership Order, pp. 1-2; ¶¶ 1-3. Pursuant to the Receivership Order, the Receiver, Kevin D.

Kent, has the authority to use reasonable efforts to determine the nature, location and value of all property interests of the Receivership Parties, including real property, and to take custody, control and possession, and manage, control, operate and maintain all Receivership Assets. Receivership Order, ¶¶ 5, 11 (A-C). The Order explicitly grants the Receiver authority “to take immediate possession of all real property of the Receivership Parties, wherever located, including but not limited to all ownership and leasehold interests and fixtures.” Receivership Order, ¶ 26.

The Order further provides that “[w]ithout further Order of this Court, the Receiver may not liquidate or otherwise dispose of Receivership Assets, including real estate, other than in the ordinary course of business or in the Receiver’s judgment the asset is of *de minimus* value and/or the costs associated with maintaining the asset is likely to exceed its value.” Receivership Order, ¶ 45. However, “[t]he Receiver may seek further Orders of this Court regarding standing powers of the Receiver, operations of Receivership Parties, and administration of Receivership Assets as may be deemed necessary to conserve the Receivership Assets, secure the best interests of creditors, investors, and other stakeholders of the Receivership Parties, and protect the interests of the Receiver.” Receivership Order, ¶ 14.

It is the Receiver’s opinion that the sale and liquidation of the Tangipahoa Properties is in the best interest of the Receivership Estate. At present, these properties are serving no beneficial purpose to the Receivership, and, in fact, pose a potential tax

liability and will require the maintenance of insurance coverage if they are to remain in the Receivership. Further, the BD of Louisiana Property is encumbered by a mortgage, with interest continuing to accrue. The Receiver believes that liquidating these properties is in the Receivership Estate's best interest and will result in a significant infusion of cash to the Receivership Estate, for the benefit of creditors, investors, and other stakeholders of the Defendants and Receivership Parties. As such, the Receiver hereby seeks the appointment of appraisers for the Tangipahoa Properties, and further seeks to retain a realtor to market these properties for sale.

The sale of real property under court control, such as the Tangipahoa Properties, is governed by 28 U.S.C. § 2001. Pursuant to 28 U.S.C. § 2001, real property may be sold via public auction or, with court approval, via private sale. The Receiver wishes to sell the Tangipahoa Properties through private sales, having concluded, after consultation with real estate professionals, that private sales of real property are likely to yield greater returns than public auctions of such property.

Before a court may approve the private sale of real property, it must determine that certain statutory requirements are met. *Id.* Among those requirements is that a court may approve the private sale of realty under its control only after that realty has been valued by three, court-appointed appraisers. 28 U.S.C. § 2001(b).

To comply with the requirements of § 2001(b), and to ascertain current market value, the Receiver hereby requests that the Court appoint the following appraisers for the Tangipahoa Properties:¹

- a. **Bryan Wilder:** Mr. Wilder is the operator of Wilder Appraisers and Consultants, a residential real estate appraisal firm based in Ponchatoula, Louisiana. He has been a Louisiana state-certified appraiser since 2003. Mr. Wilder has extensive experience meeting the Uniform Standards of Professional Appraisal Practice through his appraising for FHA, USDA, and VA-backed loan products. He estimates the total cost to appraise the Tangipahoa properties at \$ 900.00. Attached hereto as Exhibit “A” is Mr. Wilder’s Louisiana licensure information and his professional education listing with the Louisiana Real Estate Commission.

- b. **Joseph Mier:** Mr. Mier is the owner and operator of Joseph Mier and Associates, located in Hammond, Louisiana. Mr. Mier has over 21 years of experience in the real estate appraisal market. Mr. Mier is a licensed realtor, the President of the LA Real Estate Appraisers Coalitions, as well as the President of the Hammond-Area Economic and Industrial Development Foundation. He estimates the cost to appraise the Tangipahoa properties at \$ 950.00. Attached hereto as Exhibit “B” is Mr. Mier’s Louisiana licensure information and his professional education listing with the Louisiana Real Estate Commission.

- c. **Ricky Juban:** Mr. Juban has over twenty years of appraisal experience at Ricky Juban Appraisals & Consultants, Inc., located in Hammond, Louisiana. Mr. Juban is a Louisiana-certified Real Estate Appraiser, with experience appraising various types of land, including residential, commercial, industrial, rural, conservation and

¹ The quotes provided by these appraisers are estimates, which may be subject to change depending upon the conditions found at the Tangipahoa Properties.

timber. Mr. Juban has previously served as a Qualified Expert Witness in Federal Bankruptcy Court. He estimates the cost to appraise the Tangipahoa Properties at \$ 950.00. Attached hereto at Exhibit “C” is Mr. Juban’s Louisiana licensure information and his professional education listing with the Louisiana Real Estate Commission.

Additionally, in order to effectively market the Tangipahoa Properties, with a goal toward private sale, the Receiver seeks Court approval to retain Godwyn & Stone Brokerage, located in Metairie, Louisiana, as real estate agent. Godwyn & Stone is a rapidly growing and preeminent real estate brokerage company that services the New Orleans Metro Area, with eleven (11) real estate agents and over \$130,000,000 in sales since 2015. Godwyn & Stone has a featured real estate show on the Home and Garden Television Network.²

Pursuant to the Receivership Order, the Receiver’s general powers and duties include, *inter alia*, “to engage and employ persons in his discretion to assist him in carrying out his duties and responsibilities . . . including, but not limited to, . . . real estate agents, . . . provided that the reasonable expected cost for any such engagements does not exceed \$10,000 in a calendar year[.]” Receivership Order, ¶ 11(F); *see also* ¶ 71 (“The Receiver is authorized to solicit persons and entities (“Retained Personnel”) to assist him in carrying out the duties and responsibilities

² At the Receiver’s request, Joel Picolo of Godwyn & Stone Brokerage has confirmed on its behalf, in writing, that there will be no mention of this litigation or the parties thereto, the Receiver, or the Tangipahoa properties on the show.

described in this Order and need not obtain prior Court approval if the reasonably expected cost is less than \$10,000 in a calendar year.”). However, where the cost is expected to exceed \$10,000, the Receiver is not permitted to engage any such professionals without first obtaining an Order of the Court authorizing such engagement. Receivership Order, ¶ 71.

As outlined above, the Receivership Order does not authorize the Receiver to sell Receivership Assets, including real property, without prior approval from the Court. Further, if sold, it is anticipated that the six percent (6%) commissions and other potential associated fees due to Godwyn & Stone for the sale of the Tangipahoa Properties would likely exceed \$10,000.00. Accordingly, the Receiver is hereby requesting authority to retain Godwyn & Stone as real estate agent, for the express purpose of marketing, and ultimately pursuing, the sale of the Tangipahoa Properties. Once the appraisals are complete, the Receiver will seek further orders from the Court expressly authorizing the sale of the Tangipahoa Properties in accordance with 28 U.S.C. § 2001, and comply with the notice requirements set forth in 28 U.S.C. § 2002.

Counsel for the Securities and Exchange Commission has advised that they do not oppose this Motion. Likewise, the Receiver wrote to Smith on August 20, 2020, advising of his intention to sell the properties and requesting that she advise of any objection to the sale of these properties. On August 26, 2020, Brenda

Smith's sister, Linda Smith, confirmed in writing that she spoke with Brenda Smith regarding the Receiver's letter, and that Brenda Smith is not raising any objection to the sale of these properties.

III. CONCLUSION

In light of the foregoing, the Receiver respectfully requests that the Court grant the Receiver's Motion for Appointment of Real Property Appraisers and Approval to Retain Realtor, and enter an Order in the form proposed.

Respectfully Submitted,

Date: 12/2/2020

s/ Robin S. Weiss

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Exhibit A

Louisiana Real Estate Commission

Verify License Search

Contact

Name

BRYAN C. WILDER

License

License #

APR.01135-CRA

Account Type

Certified Residential Appraiser License

First Issued Date

01/01/2003

Effective Date

01/01/2021

Expiration Date

12/31/2022

Status

ACTIVE

Education

[View Education History \(/Public/LRECEducationListing/61139\)](/Public/LRECEducationListing/61139)

Close Details

LOUISIANA REAL ESTATE COMMISSION

9071 Interline Avenue
Baton Rouge, LA 70809

Phone: (225) 925-1923
Toll Free: (In Louisiana Only) 1-800-821-4529
Fax: 225-925-4501

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Louisiana Real Estate Commission

Education Listing for BRYAN C. WILDER, APR.01135-CRA

Date	Year Applied	Hours	Course Number	Course / Provider
10/25/2019	2019	4	A0186	VC - Fannie Mae Appraisal Guidelines: Debunking the Myths MCKISSOCK LP
04/30/2019	2019	8	0192	2018-2019 USPAP LREC / REAB
07/01/2018	2018	7	A0502	VC - 2018-2019 7-Hour National USPAP Update Course MCKISSOCK LP
02/05/2018	2018	7	A0188	VC - Residential Property Inspection for Appraisers MCKISSOCK LP
11/30/2017	2017	4	A0186	VC - Fannie Mae Appraisal Guidelines: Debunking the Myths MCKISSOCK LP
10/31/2017	2017	3	A0189	VC - Supporting Your Adjustments: Methods for Residential Appraisers MCKISSOCK LP

Date	Year Applied	Hours	Course Number	Course / Provider
05/20/2015	2015	8	0185	2014-2015 USPAP LREC / REAB
10/31/2010	2010	7	A0079	(EXP) VC - 2010-2011 National USPAP Update Equivalent MCKISSOCK LP
07/15/2008	2008	8	0173	2008 USPAP LREC / REAB
06/06/2008	2008	4	0171	2008 AGENCY RELATIONS IN REAL ESTATE TRANSACTIONS - MANDATORY TOPIC LREC / REAB
05/02/2006	2006	8	0299	(EXP) UNDERSTANDING FANNIE MAE'S UPDATED PROPERTY & APPRAISAL STANDARDS LOUISIANA REALTORS
05/02/2006	2006	8	0299	(EXP) UNDERSTANDING FANNIE MAE'S UPDATED PROPERTY & APPRAISAL STANDARDS LOUISIANA REALTORS
10/17/2005	2005	4	0045	(EXP) ORIENTATION & QUADRENNIAL CODE OF ETHICS NORTHSHORE AREA BOARD OF REALTORS

LOUISIANA REAL ESTATE COMMISSION

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Exhibit B

Louisiana Real Estate Commission

Verify License Search

Contact

Name

JOSEPH ANTHONY MIER

License

License #

APR.01016-CRA

Account Type

Certified Residential Appraiser License

First Issued Date

06/26/2000

Effective Date

01/01/2020

Expiration Date

12/31/2021

Status

ACTIVE

Education

[View Education History \(/Public/LRECEducationListing/61002\)](/Public/LRECEducationListing/61002)

Supervision

Name	License	Effective Date	Expiration Date	Status	Education
JOSEPH D. WHEELER	APR.01597-TRA	01/01/2020	12/31/2021	ACTIVE	View (/Public/LRECEducationListing/60056)
DANIEL C. JOURDAN	APR.01236-TRA	01/01/2019	12/31/2020	ACTIVE	View (/Public/LRECEducationListing/61418)
JOEY C. WILKS	APR.03851-TRA	01/01/2019	12/31/2020	ACTIVE	View (/Public/LRECEducationListing/94653)

Close Details

LOUISIANA REAL ESTATE COMMISSION

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 Fax: 225-925-4501

Louisiana Real Estate Commission

Education Listing for JOSEPH ANTHONY MIER, APR.01016-CRA

Date	Year Applied	Hours	Course Number	Course / Provider
10/10/2019	2019	5	A0002	APPRAISAL COMPLIANCE SEMINAR LOUISIANA BANKERS ASSOCIATION
11/08/2018	2018	4	A0002	(EXP) 2018 NORTHSORE ECONOMIC FORECAST NEW ORLEANS METROPOLITAN ASSOCIATION OF REALTORS, INC
11/03/2018	2018	11	198-0001	APPRAISERS ECONOMIC FORUM & FESTIVAL (APPRAISERFEST) (EXP) A NOBLE EDUCATION / VOICE OF APPRAISAL PRODUCTIONS
04/23/2018	2018	8	0192	2018-2019 USPAP LREC / REAB
03/13/2018	2018	2	0003	HOME INSPECTION HOUSE CALL HOME INSPECTION, L.L.C.

Date	Year Applied	Hours	Course Number	Course / Provider
08/28/2017	2017	4	0191	LREAB - GROW WITH THE FLOW LREC / REAB
04/04/2017	2017	7	129-0007	THE FHA APPRAISAL (EXP) U.S. DEPARTMENT OF HUD
11/02/2016	2016	4	0190	LREAB - FORUM OF FACTS - 2016 LREC / REAB
04/28/2016	2016	8	0189	2016-2017 USPAP LREC / REAB
05/09/2013	2013	8	0181	2012-2013 USPAP LREC / REAB
10/26/2012	2012	2	0182	NEW AMC & APPRAISER LAWS AND RULES (appraisers only) LREC / REAB
07/12/2011	2011	7	A0140	THE UNIFORM APPRAISAL DATASET FROM FANNIE MAE & FREDDIE MAC LOUISIANA CHAPTER OF THE APPRAISAL INSTITUTE
06/10/2010	2010	8	0177	2010 USPAP LREC / REAB
03/24/2010	2010	4	A0001	VA APPRAISER TRAINING SEMINAR (EXP) DEPARTMENT OF VETERANS AFFAIRS
03/31/2009	2009	3	A0132	SPOTLIGHT: THE NEW RESIDENTIAL MARKET CONDITIONS FORM LOUISIANA CHAPTER OF THE APPRAISAL INSTITUTE
03/24/2009	2009	2	0022	GREAT ONLINE EXPERIENCES TO BETTER SERVE YOUR CLIENT GARDNER REALTORS
03/10/2009	2009	4	0005	(EXP) RESIDENTIAL AGREEMENT TO BUY OR SELL - 2009 MANDATORY TOPIC BEST TITLE RESOURCE, LLC
12/16/2008	2008	7	A0149	(EXP) Introduction to FHA Appraising APPRAISAL INSTITUTE
12/15/2008	2008	7	A0153	(EXP) Valuation of Green Residential Properties APPRAISAL INSTITUTE

Date	Year Applied	Hours	Course Number	Course / Provider
12/09/2008	2008	4	0017	THE COST APPROACH: USING THE MARSHALL & SWIFT VALUATION GUIDE (EXP) WEBTAUGHT, LLC
12/09/2008	2008	4	0018	CLIENTS WORKING WITH THEIR APPRAISERS (EXP) WEBTAUGHT, LLC
10/17/2008	2008	7	130-0015	REO APPRAISAL: APPRAISAL OF RESIDENTIAL PROPERTY FORECLOSURE (EXP) MISSISSIPPI CHAPTER OF THE APPRAISAL INSTITUTE
08/29/2008	2008	4	0168	2007 RESIDENTIAL AGREEMENT TO BUY OR SELL - MANDATORY TOPIC LREC / REAB
07/15/2008	2008	8	0173	2008 USPAP LREC / REAB
05/06/2008	2008	4	0028	(EXP) AGENCY RELATIONS IN REAL ESTATE TRANSACTIONS - 2008 MANDATORY TOPIC GARDNER REALTORS
08/29/2007	2007	4	0168	2007 RESIDENTIAL AGREEMENT TO BUY OR SELL - MANDATORY TOPIC LREC / REAB
08/29/2007	2007	4	0167	2007 COMMISSION RULES AND REGULATIONS LREC / REAB
12/31/2006	2006	4	0014	(EXP) (I) BUSINESS ETHICS AND LEGAL LIABILITIES - 2006 MANDATORY TOPIC PROEDUCATE
08/25/2006	2006	4	0162	2006 REAL ESTATE CONTRACTS - 2005 MANDATORY TOPIC LREC / REAB
06/27/2006	2006	7	130-0009	LAND VALUATION ADJUSTMENT PROCEDURES (EXP) MISSISSIPPI CHAPTER OF THE APPRAISAL INSTITUTE
04/20/2006	2006	7	130-0011	FHA & THE NEW RESIDENTIAL APPRAISAL FORMS (EXP) MISSISSIPPI CHAPTER OF THE APPRAISAL INSTITUTE
04/19/2006	2006	7	130-0010	NATIONAL USPAP UPDATE COURSE (EXP) MISSISSIPPI CHAPTER OF THE APPRAISAL INSTITUTE

Date	Year Applied	Hours	Course Number	Course / Provider
12/07/2005	2005	8	0094	VALUATION OF DETRIMENTAL CONDITIONS IN REAL ESTATE LOUISIANA CHAPTER OF THE APPRAISAL INSTITUTE

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Exhibit C

Louisiana Real Estate Commission

Verify License Search

Contact

Name

RICKY M. JUBAN

License

License #

APR.00580-CGA

Account Type

Certified General Appraiser License

First Issued Date

06/17/1993

Effective Date

01/01/2019

Expiration Date

12/31/2020

Status

ACTIVE

Education

[View Education History \(/Public/LRECEducationListing/61244\)](#)

Supervision

Name	License	Effective Date	Expiration Date	Status	Education
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Close Details

LOUISIANA REAL ESTATE COMMISSION

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Louisiana Real Estate Commission

Education Listing for RICKY M. JUBAN, APR.00580-CGA

Date	Year Applied	Hours	Course Number	Course / Provider
12/25/2019	2019	7	A0522	VC - 2020-2021 7-Hour National USPAP Update Course MCKISSOCK LP
12/19/2018	2018	7	A0502	VC - 2018-2019 7-Hour National USPAP Update Course MCKISSOCK LP
12/15/2018	2018	7	A0499	VC - The Basics of Expert Witness for Commercial Appraisers MCKISSOCK LP
12/12/2018	2018	7	A0179	VC - Basic Hotel Appraising - Limited Service Hotels MCKISSOCK LP
12/31/2016	2016	7	A0175	(EXP) VC - 2016-2017 7-Hour National USPAP Update Course MCKISSOCK LP
12/31/2010	2010	7	A0086	(EXP) VC - Appraising and Analyzing Retail Shopping Centers for Mortgage Underwriting MCKISSOCK LP

Date	Year Applied	Hours	Course Number	Course / Provider
12/31/2010	2010	7	A0079	(EXP) VC - 2010-2011 National USPAP Update Equivalent MCKISSOCK LP
12/31/2010	2010	7	0071	(REVOKED) VC - Introduction to Expert Witness Testimony MCKISSOCK LP
12/31/2010	2010	3	A0072	(EXP) VC - Ad Valorem Tax Consultation MCKISSOCK LP
12/31/2010	2010	7	A0070	(EXP) VC - Current Issues in Appraising MCKISSOCK LP
11/04/2009	2009	4	0036	(EXP) RESIDENTIAL AGREEMENT TO BUY OR SELL - 2009 MANDATORY TOPIC (EXP) CUTTING EDGE COURSES BY CARMEL STREATER, PH.D., DREI
09/12/2009	2009	4	0005	VALUING PROPERTIES IN A CHANGING MARKET (EXP) CUTTING EDGE COURSES BY CARMEL STREATER, PH.D., DREI
12/31/2007	2007	4	0059	(EXP) (I) LA REAL ESTATE LICENSE LAW BOB BROOKS SCHOOL OF REAL ESTATE & INSURANCE, INC
12/31/2007	2007	4	0075	(EXP)(I) RESIDENTIAL AGREEMENT TO BUY OR SELL - 2007 MANDATORY TOPIC BOB BROOKS SCHOOL OF REAL ESTATE & INSURANCE, INC
11/16/2006	2006	4	0033	(EXP) BUSINESS ETHICS AND LEGAL LIABILITIES - 2006 MANDATORY TOPIC (EXP) CUTTING EDGE COURSES BY CARMEL STREATER, PH.D., DREI
01/07/2005	2005	8	0111	APPRAISING CONVENIENCE STORES LOUISIANA CHAPTER OF THE APPRAISAL INSTITUTE

LOUISIANA REAL ESTATE COMMISSION

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**IN THE UNITED STATES DISTRICT COURT
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Plaintiff,

v.

**BRENDA SMITH, BROAD REACH
CAPITAL, LP, BROAD REACH
PARTNERS, LLC, and BRISTOL
ADVISORS, LLC,**

Defendants.

C. A. No. 2:19-cv-17213 (MCA)

**ORDER APPROVING THE RECEIVER, KEVIN D. KENT, ESQUIRE'S
MOTION FOR APPOINTMENT OF REAL PROPERTY APPRAISERS
AND APPROVAL TO RETAIN REALTOR**

THIS MATTER having come before this Court upon the Motion of Receiver, Kevin D. Kent, Esquire, for Appointment of Real Property Appraisers and Approval to Retain Realtor;

It is on this _____ day of _____, 2021,

ORDERED that the Receiver's Motion for Appointment of Real Property Appraisers and Approval to Retain Realtor is APPROVED; and it is

FURTHER ORDERED that Bryan Wilder, Joseph Mier and Ricky Juban are hereby each appointed, pursuant to 28 U.S.C. § 2001, to appraise real property owned by BD of Louisiana, LLC in Tangipahoa Parish, Louisiana, as follows:

- Assessment No. 3418405, Davis Road
- Assessment No. 4104900, Adams Road; and it is

FURTHER ORDERED that Bryan Wilder, Joseph Mier and Ricky Juban are hereby each appointed, pursuant to 28 U.S.C. § 2001, to appraise real property owned by Brenda Smith in Tangipahoa Parish, Louisiana, as follows:

- Assessment No. 5615305, 17091 Highway 1064 East
- Assessment No. 6157491; and it is

FURTHER ORDERED that the Receiver's retention of Godwyn & Stone Brokerage, as realtor of the above-referenced real property in Tangipahoa Parish, Louisiana, for the purpose of marketing and sale of these properties, at a commission rate of six percent (6%), is hereby approved.

BY THE COURT:

HONORABLE MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

**BRENDA SMITH, BROAD REACH
CAPITAL, LP, BROAD REACH
PARTNERS, LLC, and BRISTOL
ADVISORS, LLC,**

Defendants.

C. A. No. 2:19-cv-17213 (MCA)

**CERTIFICATE OF
SERVICE**

I hereby certify, this 2nd day of December, 2020, that I caused to be served a true and correct copy of the Notice of Motion of Receiver, Kevin D. Kent, Esquire, for Appointment of Real Property Appraisers and Approval to Retain Realtor, and all documents in support thereof upon Plaintiff, Securities and Exchange Commission, through counsel of record by electronic filing pursuant to Fed.R.Civ.P. 5(b), and upon Defendant, Brenda A. Smith, on behalf of all defendants, via first-class mail, postage prepaid, as follows:

Brenda A. Smith
Permanent ID 2019-339640
CCIS# 07-571432
U.S. Marshalls Number 72832-050
Essex County Correctional Facility

354 Doremus Avenue
Newark, NJ 07105

s/ Robin S. Weiss _____
Robin S. Weiss, Esq.
Attorney for Receiver, Kevin D. Kent, Esq.