

United States District Court
for the
Southern District of Florida

Securities and Exchange)
Commission, Plaintiff,)
)
v.) Case No. 23-20719-Civ-Scola
)
BKCoin Management, LLC, and)
others, Defendants.)

Order on Receiver’s Motion to Establish Claims Procedure

This matter is before the Court on the Receiver’s unopposed motion to establish and approve a: (1) procedure to administer and determine claims; (2) claims bar date and notice procedure; and (3) proof of claim form. (ECF No. 203.) Upon review of the motion and the relevant legal authorities, the Court **grants** the Receiver’s motion (**ECF No. 203.**)

The Court “has broad powers and wide discretion to determine relief in an equity receivership.” *Sec. & Exch. Comm’n v. Elliot*, 953 F.2d 1560, 1566 (11th Cir. 1992) (citation omitted). Such powers include that “to establish proof of claim procedures and set an effective claims bar date.” *Sec. & Exch. Comm’n v. Wells Fargo Bank, N.A.*, 848 F.3d 1339, 1344 (11th Cir. 2017) (citation omitted). “No specific distribution scheme is mandated so long as the distribution is fair and equitable.” *Sec. & Exch. Comm’n v. Onix Cap.*, Case No. 16-24678-Civ-COOKE/TORRES, 2018 WL 1124435, *2 (S.D. Fla. Feb. 23, 2018) (citation omitted) (Cooke, J.).

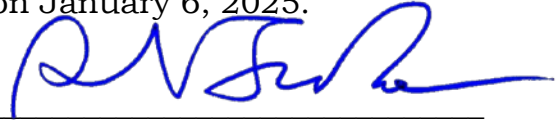
The Claims Procedures outlined in the motion are fair and equitable, and are therefore approved. The Notice of Claims Bar Date and Procedures for Submitting a Proof of Claim Form, the Notice of Claims Bar Date by Publication; and the Proof of Claim Form are likewise approved in the form attached to the Motion. (ECF Nos. 203-1; 203-2; 203-3.)

The process for serving notice to the Claimants outlined in the motion satisfies the due process interests of the Claimants. The Receiver shall provide notice in accordance with the process outlined in the motion. The Receiver is accordingly authorized to establish a website for the purpose of publishing notice of the Claims Process as well as publish notice by publication in the Miami Herald once a week for two consecutive weeks.

The Court establishes 11:59 p.m. EST on Monday, April 7, 2025, as the deadline for Claimants to submit a completed and signed Proof of Claim Form under penalty of perjury, together with supporting documentation evidencing

the Claimant's claim upon which the Receivership Entity against which the Claimant asserts a claim.

Done and ordered in Miami, Florida, on January 6, 2025.



Robert N. Scola, Jr.
United States District Judge