

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CONSUMER FINANCIAL PROTECTION  
BUREAU and STATE OF FLORIDA,  
OFFICE OF THE ATTORNEY GENERAL,  
Department of Legal Affairs,

Plaintiffs,

Case no. 14 CV 80931/COHN/SELTZER

vs.

MICHAEL HARPER, et al.,

Defendants.

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**RECEIVER'S SECOND INTERIM REPORT,  
CONCERNING THE SALE OF THE JET SKIS**

Mark J. Bernet, Receiver for The Hoffman Law Group, P.A., f/k/a The Residential Litigation Group, P.A., Nationwide Management Solutions, LLC, Legal Intake Solutions, LLC, File Intake Solutions, LLC, and BM Marketing Group, LLC (the "Receiver"), hereby files his Second Interim Report. relating to the sale of certain jet skis.

In its October 8, 2014 *Order Granting Receiver's Agreed Motion for Authority to Conduct Auction Sale of Jet Skis and Trailers* (doc. no. 105), the Court authorized the Receiver to conduct an auction sale of two (2) Sea Doo jet skis and a Continental aluminum trailer (together the "Jet Skis and Trailer"). The Jet Skis and Trailer were owned by the Defendant Willcox and his spouse, and were subject to financing liens. Willcox was not able to make the regular monthly payments owed to the lenders and the Jet Skis and Trailer were in danger of being repossessed, even though they were worth more than the amounts owed.

After the entry of the Court's order, Willcox surrendered possession of the Jet Skis and Trailer to the Receiver's auctioneer. The Jet Skis and Trailer were marketed and then sold at a

public auction. The gross price received was \$18,500.00, and after payment of permitted commissions and expenses, the Receiver received the total amount of \$16,770.00. The Receiver also satisfied the liens against the Jet Skis and Trailer in the aggregate amount of \$11,775.00. The net to the receivership estates therefore was \$4,995.00. Reports from the auctioneer concerning the sale are attached as Composite Exhibit "A."

The Receiver invites the questions and comments of the Court and the parties.

Dated: Tampa, Florida  
November 12, 2014

/s/ Mark J. Bernet

Mark J. Bernet, Receiver  
401 E. Jackson Street, Suite 1700  
Tampa, Florida 33602  
Telephone: (813) 223-7333  
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CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing was served by CM/ECF to Melissa Guidorizzi, Esquire, 1700 G Street NW, Washington, DC 20552, e-mail [melissa.guidorizzi@cfpb.gov](mailto:melissa.guidorizzi@cfpb.gov); Leanne Hartmann, Esquire, 1700 G Street NW, Washington, DC 20552, e-mail [leanne.hartmann@cfpb.gov](mailto:leanne.hartmann@cfpb.gov); Maureen Elin McOwen, Esquire, 1700 G. Street NW, Washington, DC 20552, e-mail [molly.mcowen@cfpb.gov](mailto:molly.mcowen@cfpb.gov); Amanda Arnold Sansone, 3507 E. Frontage Road, Suite 325, Tampa, Florida 33607, e-mail [amanda.sansone@myfloridalegal.com](mailto:amanda.sansone@myfloridalegal.com); Richard Colin Nathan Schiffer, Esquire, 3507 E. Frontage Road, Suite 325, Tampa, Florida 33607, e-mail [richard.schiffer@myfloridalegal.com](mailto:richard.schiffer@myfloridalegal.com); Hector E. Lora, Esquire, The Lora Law Firm, LLC, 174 N.E. 106<sup>th</sup> Street, Miami Shores, Florida 33138, e-mail [hectorlora@bellsouth.net](mailto:hectorlora@bellsouth.net); John A. Richert, Esquire, Hornstine, Pelloni & Hornstine, LLC, 13575 58<sup>th</sup> Street North, Clearwater, Florida 33760, e-mail [john@hornstine.com](mailto:john@hornstine.com); and Andrew N. Cove, Esquire, Cove & Associates, P.A., 225 S. 21<sup>st</sup> Avenue, Hollywood, Florida 33020, e-mail [anc@covelaw.com](mailto:anc@covelaw.com), [main@covelaw.com](mailto:main@covelaw.com), this 12<sup>th</sup> day of November, 2014.

/s/ Mark J. Bernet, Receiver

**HarrisAuctionsLLC**  
**Florida**  
**AU3858 Auction and Liquidation Marketing AB2873**

November 10th, 2014

Mark Bernet, Receiver  
Akerman Senterfitt  
401 E. Jackson Street, Ste. 1700  
Tampa, FL 33602

Re: Sea Doo Auction Summary  
Case No.: 14 CV 80931/COHN/SELTZER

Dear Mr. Bernet,

The subject Personal Water Crafts in this file were described by one dealer as: "too fast to own". It was this distinction that required us to demonstrate them performing and not just by starting them up. In that they are high performance, there is always a suspicion by buyers, of them being driven too hard and thus needing costly repairs. We knew that was not the case, but we had to prove it.

We decided to conduct the auction beachside of a local lake, Lake Thonotosassa in North East Hillsborough County. Lake Thonotosassa is the largest lake in Hillsborough County and features some of the most expensive homes in Central Florida. Advertising included internet, newspaper, email blasts, visiting local dealers and placing a large sign on the property adjacent to the lake.

On auction day with the help of two experienced riders, we gave the bidders a glimpse of what these PWCs can do---70 mph! After loading the crafts on the double trailer we started the auction.

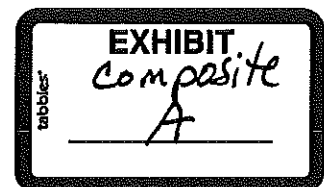
I must admit, it was refreshing not to debate the mechanical capability of an item on the block. With their jaws on the ground and their hands in the air, the bidders set the pace quick and in 10 minutes, we arrived at result that one attending dealer referred to as: "a world record bid for any Jet Ski in any auction, ever"!

Maybe.

There were 26 bidders in attendance and 188 bidders online. The results and a Cashier's Check was sent earlier.

Sincerely,

John Harris  
Harris Auctions LLC



Consignor Settlement

Harris Auctions LLC  
 2408 Airport Rd.  
 Plant City, FL 33563  
 Phone: 813-784-3926

CO #:	247
Date:	10/20/2014
Page:	1

Consignor

Mark J Berner, Receiver  
 401 E Jackson St  
 Tampa, FL 33602  
 Phone:813-690-2662

Auction: Sea Doo Auction

Lot#	Description	Quantity	Unit Price	Ext.Price	Comm/BuyBack	Expenses
100	SeaDoo Jet Skis with Trailer 2013 SeaDoo RXT-X 260 HID# YDV065601213, 2013 SeaDoo RXP-X 260 HID# YDV161091213, 2012 Continental Aluminum Tandem Trailer VIN# 1ZLBB1610CM077679	1.00	18,500.00	18,500.00	-1,480.00	0.00

CO Expense - Transportation ( 250.00)




Total Quantity:	1.00
Total Invoice Sale Price:	18,500.00
Total Expenses: (	250.00)
Total Commission: (	1,480.00)
Total Due to Consignor:	16,770.00
Total Payments:	0.00
Balance:	\$16,770.00

Positive Balance, Monies Owed to Consignor  
 No inventory remains for this consignment order

COMMISSION SETTINGS

Calculate Commission By: Each  
 Commission Structure Type: Sliding Scale

Any Amount	8%
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 <b>REGIONS</b>	<b>CASHIER'S CHECK</b>	5501221094
	10/21/2014	61-1/620
	SIXTEEN THOUSAND SEVEN HUNDRED SEVENTY DOLLARS AND 00 CENTS	Harris Auctions LLC / Sea-Doo Auction Purchaser / Purchased For
PAY TO THE ORDER OF: Mark J. Belmont, Receiver	\$16,770.00	
Regions Bank		Authorized Signature Branch FL00074 CC074100

⑆5501221094⑆ ⑆06200019⑆ 0000742651⑆