

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

Case No: 6:23-cv-1445-AGM-DCI

RACHEL LARRALDE, as Personal
Representative for the Estate of
RENE LARRALDE, JUAN PABLO
VALCARCE, BRIAN EARLY,
ALISHA ANN KINGREY, and
FUNDSZ,

Defendants.

RECEIVER'S SIXTH STATUS REPORT

Melanie E. Damian, the court-appointed Receiver (the "Receiver") in the above-captioned action, submits her sixth status report setting forth her activities and efforts to fulfill her duties from February 1, 2026 through May 31, 2026 (the "Reporting Period").

I. INTRODUCTION

Since her appointment, the Receiver has worked diligently with her professionals to efficiently take control of the assets and records of Rene Larralde, Juan Pablo Valcarce, Brian Early, Alisha Ann Kingrey, and Fundsz (collectively, "Defendants" or the "Receivership Defendants") for the benefit of their investors

and creditors in fulfillment of her duties under the Court's Orders. In particular, during the Reporting Period, the Receiver administered the Court-approved claims process (the "Claims Process"). See ECF Nos. 161 (Motion) and 176 (Order). The Receiver, with the assistance of her claims agent, collected and reviewed the claims submitted against the Estate, prepared and sent initial determinations of the amounts allowed, and collected and reviewed requests for reconsideration of the Receiver's determinations. The Receiver resolved all requests for reconsideration, and as a result, no claimant sought to appeal the Receiver's determination of the claim to the Court. The Claims Process is complete, and the Receiver is preparing a motion to seek the Court's approval of her final determination of the allowed claim amounts and her proposed distribution amount for each investor holding an allowed claim. The Receiver intends to make one *pro rata* distribution of approximately \$4 million to claimants with allowed claims, subject to Court approval.

Finally, during this Reporting Period, the Receiver communicated with defrauded investors and updated the receivership website with court filings and information to keep investors apprised of the status of the receivership and the CFTC enforcement action.

II. THE APPOINTMENT AND DUTIES OF RECEIVER

In its August 2, 2023, Statutory Restraining Order (the "Statutory

Restraining Order”), the Court appointed Melanie E. Damian, Esq. as the Receiver over all assets of each Defendant and the affiliates and subsidiaries owned or controlled by any Defendant. The Court granted the Receiver complete authority over the management and administration of the Receivership Defendants’ assets. The Receiver was tasked with taking possession and control of all operations, assets, and records of the Receivership Defendants, including, without limitation, all real properties, entities, personal property, and accounts. Further, the Receiver was directed to diligently manage and safeguard the assets of the Receivership Defendants, ensuring they are not subject to execution or similar processes. Finally, the Receiver was charged with assuming full control of Fundsz by removing former Defendant Rene Larralde, and Defendants Juan Valcarce, Brian Early, and Alisha Ann Kingrey, from control and management of its affairs. The Statutory Restraining Order required that the Receiver provide periodic reports summarizing her efforts to marshal and collect assets, administer the Receivership Estate, and otherwise perform the duties mandated. *See* Statutory Restraining Order at p. 12.

The Statutory Restraining Order was extended for the duration of this enforcement action by entry of the Consent Preliminary Injunction Order (the “Preliminary Injunction”) over all Defendants [ECF No. 43].

During the prior Reporting Period, the CFTC filed its Agreed Motion to

Enter Consent Orders as to Mrs. Larralde and Plaintiff's Motion to Voluntarily Dismiss Defendant Fundsz on June 16, 2025. ECF Nos. 165 and 166. The Court entered an Order granting Plaintiff's Motion to Voluntarily Dismiss Defendant Fundsz on January 6, 2026. *See* ECF No. 186. Entry of the proposed Consent Judgment with respect to Mrs. Larralde as personal representative of Rene Larralde's estate remains pending.

III. THE RECEIVER'S ACTIVITIES AND EFFORTS TO DATE

A. Employment of Professionals

Immediately upon her appointment and review of relevant documents, the Receiver conducted the necessary planning and determined the need to employ professionals to assist her in carrying out her duties and responsibilities under the Statutory Restraining Order.

Pursuant to the Statutory Restraining Order, the Receiver was authorized to retain attorneys. *See* Statutory Restraining Order at p. 10. Accordingly, the Receiver engaged Damian Valori Culmo ("Receiver's Counsel") as her counsel to assist her to secure the Receivership Defendants' assets and accounts, communicate with financial institutions to freeze and take control of accounts and obtain information and records, investigate and marshal the Defendants' assets, and otherwise fulfill her duties under the Statutory Restraining Order. Also, to preserve records, the Receiver retained Oscar Delatorre, of CyberDiscovery.net, to

forensically image Defendants' online and cloud-based accounts. Most recently, the Receiver retained Stretto, Inc. as noticing and claims agent, to assist in formulating and administering the Claims Process.

B. Obtaining Financial Records and Securing Assets

Following her appointment, the Receiver and Receiver's Counsel identified, sent freeze and turnover demand letters, and communicated with various financial institutions at which the Receivership Defendants held accounts. During a prior reporting period, the Receiver coordinated with Bank of America for the turnover to the Estate of funds totaling \$113,151.46 and with Launch Credit Union the turnover of funds totaling \$1,322.56. The funds were deposited in the fiduciary account the Receiver set up for this receivership at City National Bank in Miami, Florida. The Receiver also liquidated cryptocurrencies obtained from CEX.io and Exodus, totaling \$2,705,728.91, and deposited the proceeds into the Receiver's fiduciary account at City National Bank.

C. The Larralde Residence

During a prior reporting period, the Receiver visited, inspected, and inventoried the Larralde Residence purchased for \$1.9 million using investor funds. The Receiver conducted a tracing analysis of the funds used to purchase Defendant Larralde's residence, which evidenced that the purchase was made with proceeds from liquidated cryptocurrency taken from Fundsz investors'

accounts. Accordingly, the Receiver engaged in negotiations with Ms. Rachel Larralde, who resided in the residence and is the Personal Representative of the Estate of Rene Larralde, regarding the turnover of that property to the Estate. After Ms. Larralde turned over the property, the Receiver sold the property for \$1.9 million, netting \$1,756,001.90 for the Estate.

D. Cooperation of the Parties and Third Parties

1. Defendant Rachel Larralde, as Personal Representative of the Estate of Rene Larralde

During prior reporting periods, the Receiver worked with Ms. Larralde to obtain additional information regarding potential assets of the Estate, including cash, weapons located in a safe in the Larralde Residence, a personal watercraft docked at that property, and a trailer parked at the property. The investigation into the ownership of personal assets is complete, and those assets have been either liquidated or returned to Ms. Larralde.

2. Defendant Juan Valcarce

During prior reporting periods, the Receiver concluded that, based on various personal interviews and sworn financial disclosures, Defendant Valcarce had minimal assets and no real property holdings. The Receiver does not believe any further investigation into Mr. Valcarce's assets is warranted.

3. Defendants Brian Early and Alisha Ann Kingrey

Pursuant to the Statutory Restraining Order and the Preliminary Injunction,

the Receiver requested that Brian Early and Alisha Ann Kingrey provide detailed financial disclosures to assist in her efforts to identify and marshal assets of the Defendants. The Receiver sent numerous correspondences and a comprehensive financial disclosure and affidavit form to Defendants Early and Kingrey, but the Receiver has not received any response from either Defendant. Based on those Defendants' failure to comply with the Receiver's and the CFTC's efforts to obtain the required disclosures, the Receiver supported the Report and Recommendation [ECF No. 142] that their Answers to the Amended Complaint be stricken, that the Clerk enter default against them [subsequently entered at ECF No. 155], and that the CFTC be awarded reasonable expenses, including attorneys' fees, incurred in filing the Motion for Sanctions against them. Brian Early has accepted receipt of that Clerk's Default [ECF No. 184].

IV. INVENTORY OF ASSETS OF THE ESTATE

The assets of the Estate, of which the Receiver is aware, include:

- A. Cash-on-Hand in Receiver's Fiduciary Account at City National Bank**
 - a. \$4,366,563.39

- B. Assets Held in Digital Wallets at Cryptocurrency Exchanges**
 - a. 1019.94499301 Tron (TRX) (\$78.81), 0.00422978 BTT.OLD (\$0.00), and 77.45466625 USDT.TRC20 (\$77.37), with a total value of \$156.17, held in digital wallets at Coin Payments, Inc., and \$500 USD held at Hero FX, which accounts have been

inaccessible since Mr. Larralde's death.

C. Assets Owned by Rene Larralde or Certain Family Members

All personal property, including the watercraft, trailers, and a vehicle, owned by Mr. Larralde has either been sold with the Larralde Residence or returned to Ms. Larralde in accordance with the settlement between Ms. Larralde and the CFTC.

V. CASH-ON-HAND, RECEIPTS, AND DISBURSEMENTS OF ESTATE

As of May 31, 2026, the Receivership Estate held a total of \$4,366,563.39 in cash-on-hand, in an interest-bearing fiduciary account that the Receiver opened for the Estate at City National Bank in Miami, Florida. A statement of the Estate's cash-on-hand and receipts during the Reporting Period is attached hereto as **Exhibit A.**

The Receivership Estate incurred administrative expenses in the form of fees and costs for the Receiver and her counsel for work performed in connection with fulfilling the Receiver's duties under the Statutory Restraining Order and the Preliminary Injunction. During the prior Reporting Period, pursuant to the Court's Orders, the Receiver filed her Fourth Application for an Order Approving and Authorizing Payment of Fees and Expenses of Receiver and Her Professionals on January 13, 2026 [ECF No. 188] and the Receiver's Supplement in Support of Her Fourth Application for an Order Approving and Authorizing Payment of Fees

and Expenses of Receiver and Her Professionals [ECF No. 187] on January 23, 2026. During this Reporting Period, the Court entered its Order Approving and Authorizing Payment of Fees and Expenses of Receiver and Her Professionals [ECF No. 196] on April 6, 2026. The Receiver also filed her Fifth Application for an Order Approving and Authorizing Payment of Fees and Expenses of Receiver and Her Professionals on March 27, 2026 [ECF No. 195] and the Receiver's Supplement in Support of Her Fifth Application for an Order Approving and Authorizing Payment of Fees and Expenses of Receiver and Her Professionals on April 7, 2026 [ECF No. 197]. This Fee Application is pending before the Court.

After the filing of this Status Report, the Receiver will file her sixth fee application, seeking approval of the fees and costs incurred by the Receiver and her professionals, including her claims agent, Stretto, during this Reporting Period and for authority to pay such fees and costs from the funds the Receiver has marshaled and deposited into her fiduciary account.

VI. KNOWN INVESTORS AND CREDITORS AND COURT-APPROVED CLAIMS PROCESS

Receivership Defendants created, marketed, and operated Fundsz as an online cryptocurrency trading platform. Receivership Defendants directed investors to transfer funds in various cryptocurrencies to a Fundsz account purportedly held and traded in each investor's name. Based on the Receiver's review of Receivership Defendants' limited business records, the Receiver

calculates that approximately 14,000 individuals and entities transferred cryptocurrency to Fundsz. That cryptocurrency was not maintained in individual investor accounts. Instead, it was commingled and used by Receivership Defendants for their own benefit, and much of it was lost in trading.

Since the commencement of this action, the Receiver collected email addresses for approximately 10,500 potential claimants and provided them with electronic notice of the Claims Process. The Fundsz investor database showed approximately 10,200 open investor accounts as of the commencement of the receivership, of whom approximately 9,100 investors appear to have suffered a net loss totaling approximately \$15,700,000.

On May 8, 2025, the Receiver filed her Motion to Approve Claims Process [ECF No. 161] (the “Claims Process Motion”). United States Magistrate Judge Irick issued a Report and Recommendation [ECF No. 172] recommending that the Claims Process Motion be granted in part. On October 23, 2025, the Court entered the Claims Process Order [ECF No. 176] adopting and confirming the Report and Recommendation and granting the Claims Process Motion in part. The Claims Process Order authorized the Receiver to implement the Claims Process as set forth therein.

Pursuant to the Claims Process Order, the Court authorized the Receiver to retain Stretto and pay an initial retainer of \$5,000 to Stretto, Inc. to assist the

Receiver in the administration of the noticing and claims process pursuant to the Proposal and Services Agreement filed with the Claims Process Motion [ECF No. 161-1].

Pursuant to the Claims Process Order, the Receiver, through Stretto, sent notice of the Claims Process by email to the last known email addresses of all known potential claimants within 20 days after the entry of the Claims Process Order. In total, the Receiver and Stretto disseminated three rounds of notice emails to potential claimants. The notice included a link to an online portal hosted by Stretto for completion and submission of the approved Claim Form. The Receiver also posted the notice, a link to the online claims portal, a copy of the Claims Process Order, and other relevant information on the receivership website. Throughout the Claims Process, the Receiver, the Receiver's staff, and Stretto responded to claimant inquiries and assisted numerous claimants in completing and submitting online claim forms and supporting documentation via email and telephone. The Receiver received claims only from investors, as expected, because Fundsz had no known creditors.

Pursuant to the Claims Process Order, the deadline for the Receiver to receive Claim Forms was 60 days after the date of the Claims Process Order (the "Claims Bar Date"). Any claimant asserting a claim against Fundsz, the Receiver, or the Receivership Estate was required to file a Claim Form with Stretto on or

before the Claims Bar Date. Claimants were permitted to submit their Claim Forms through the online claims portal or by mail to Stretto. In total, 1,405 Claim Forms were submitted to the Claims Agent.

Following the Claims Bar Date, Stretto collected and recorded all submitted Claim Forms in a claims register and conducted a preliminary review of each Claim Form, including determining whether It lacked supporting documentation and requesting such documents from claimants as needed. Stretto also made initial calculations of each Allowed Claim Amount.

The Receiver, with the assistance of Stretto, then reviewed each claim and its supporting documentation and made Initial Determinations regarding the amount, if any, to be allowed for each claim in accordance with the standards set forth in the Claims Process Order. The claims review process was complicated and tedious because investors only deposited cryptocurrency with Fundsz. Cryptocurrency transactions are by their very nature intended to be difficult to trace, and Fundsz directed investor transfers to more than 50 receiving wallet addresses. Therefore, the review of investors' supporting documentation requires extensive experience with cryptocurrency transactions and a careful analysis to trace the deposits into the Fundsz scheme.

The Receiver approved a claim as an Allowed Claim only upon finding that:

- (1) the investor transferred funds in connection with an investment in Fundsz

directly to Fundsz; (2) the investor was not a member or insider of any Receivership Defendant or any affiliated entity and did not knowingly assist any Receivership Defendant in perpetuating the Fundsz investment scheme or have knowledge of its fraudulent nature at the time of the investment or transaction; and (3) the total amount transferred to Fundsz exceeded the total amount returned or paid to the investor.

For each Allowed Claim, the Receiver calculated the Allowed Claim Amount by subtracting the total amount of all transfers the investor or creditor received from the Receivership Defendants and/or any entity owned in part or wholly by a Receivership Defendant from the total amount transferred to the Receivership Defendants, irrespective of the success or failure of any particular investment or terms providing for interest or fees in any agreement underlying the debt. No interest, "profit," late fees, or penalties were included in any Allowed Claim Amount. For purposes of calculating cryptocurrency balances in investors' Fundsz accounts, the Receiver used the U.S. Dollar valuation provided in the last accounting prepared by Defendant Rene Larralde for the Fundsz accounts, consistent with the Claims Process Order.

As of the filing of this Report, the Receiver reconciled 1,405 claims, with a total filed claim amount of \$12,521,882.42. Of those claims, the Receiver allowed 885 in full, reduced 321 in part based on reconciliation analysis and the net-loss

methodology, and denied 199 in full. After review and reconciliation in accordance with the Claims Process Order, the Receiver has determined that the total of all Allowed Claim Amounts is \$6,153,722.18.¹

To the extent the Receiver rejected a claim in whole or in part, the Receiver, with Stretto's assistance, sent the claimant an email letter setting forth the Receiver's Initial Determination, explaining the reasons for the rejection, and stating the deadline to object. All claimants whose claims were rejected in whole or in part were afforded an opportunity to object to the Initial Determination by submitting an objection through the online claims portal or by mail to Stretto.

The Receiver reviewed all timely objections and issued Final Determinations accordingly. The Receiver caused all Initial Determinations to be issued by the extended deadline of March 23, 2026. *See* ECF Nos. 189 and 190. The Receiver then reviewed, considered, and resolved all objections to her Initial Determinations by May 14, 2026, and confirmed with objecting claimants that their objections had been resolved. As a result, no appeals of the Receiver's Final Determinations were filed with the Court. Accordingly, the Receiver is now

¹ To be as inclusive as possible, the Receiver has continued to accept late-filed claims, review them, and issue determinations. Therefore, the total number of claims and allowed claim amount may change after the filing of this Report. Moreover, when accepting the late claims, the Receiver advised those claimants that the deadline to object to the Receiver's determinations had passed.

preparing her motion requesting that the Court approve her Final Determinations together with her proposed distribution plan.

VII. PLAN MOVING FORWARD

During the next reporting period, the Receiver will file her proposed distribution plan for Court approval. In that plan, the Receiver proposes to make one distribution of \$4,000,000.00 to all claimants holding an Allowed Claim (the “Distribution Amount”). This amount represents 95% of the Estate’s current cash on hand, after setting aside funds for payment of all outstanding and anticipated administrative expenses of the Estate, including unpaid fees and costs of the Receiver and her professionals, as well as the costs of the distribution.

The Receiver proposes to distribute the Distribution Amount to all claimants with Allowed Claims on a pro rata basis. Each claimant with an Allowed Claim will receive a payment equal to that claimant’s Allowed Claim Amount divided by the total of all Allowed Claim Amounts, multiplied by the Distribution Amount. Based on total Allowed Claims of \$6,153,722.18 and a Distribution Amount of \$4,000,000.00, each claimant will receive approximately 65% of their Allowed Claim Amount.

The Receiver proposes to distribute funds to claimants electronically, consistent with the payment preferences indicated by each claimant on their respective Claim Form. Because of the volume of distributions, variety of payment

methods, and security concerns, the Receiver proposes to continue employing Stretto to prepare and send distributions to all claimants holding Allowed Claims. Stretto will be retained under the same terms and conditions set forth in the Proposal and Services Agreement previously approved by the Court [ECF No. 161-1], and the Receiver will continue to seek Court approval of Stretto's fees and expenses before payment from the Receivership Estate. The work required is largely administrative, and Stretto's efficiencies and rates reduce the overall costs of the Distribution compared with the Receiver or the law firm performing such work directly. The Receiver shall review and approve all invoices submitted by Stretto before submitting them to the Court for consideration.

In the event that the amount of funds remaining in the Estate, after the distribution to claimants and payment of administrative expenses, are of a *de minimis* nature, such that the Receiver determines that the administrative cost of distributing those funds is impractical, the Receiver may, in her discretion, treat such funds as civil monetary penalty payments, which the Receiver shall forward to the CFTC, without further Order of this Court, by sending an electronic funds transfer to the CFTC in accordance with the payment instructions provided by the CFTC. Moreover, the Receiver shall accompany the payment with a cover letter identifying the name and docket number of this proceeding. The Receiver shall simultaneously transmit copies of the cover letter and the form of payment to the

Chief Financial Officer, and Chuck Marvine, Deputy Director & Acting Chief of the Retail Fraud and General Enforcement Task Force, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, D.C. 20581.

VIII. CONCLUSION

The Receiver and her professionals appreciate the opportunity to assist the Court in this matter and will continue their efforts, as discussed above, to fulfill the Receiver's duties under the Court's Orders.

Respectfully submitted,

/s/ Kenneth Dante Murena

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on June 10, 2026, the foregoing document was electronically filed through the CM/ECF system, which will provide electronic service upon all counsel of record, and by email to Defendants Brian Early (bearlyss@gmail.com) and Alisha Ann Kingrey (moneytrends4u@gmail.com).

/s/ Kenneth Dante Murena _____
Kenneth Dante Murena, Esq.

EXHIBIT A

Melanie E. Damian, Esq., as Receiver
DAMIAN & VALORI, LLP
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Miami, Florida 33131

STANDARDIZED FUND ACCOUNTING REPORT
CIVIL – RECEIVERSHIP FUND FOR CFTC v. FUNDSZ, ET AL.

Reporting Period 2/1/2026 to 5/31/2026

		Detail	Subtotal	Grand Total
Line 1	Beginning Balance (As of 2/1/2026):	\$ -	\$ -	\$4,410,220.34
	Increases in Fund Balance:			
Line 2	Business Income	\$ -	\$ -	\$ -
Line 3	Cash and Securities [1]	\$ -	\$ -	\$ -
Line 4	Interest/Dividend Income [1]	\$ 29,318.06	\$ 29,318.06	\$ 29,318.06
Line 5	Business Asset Liquidation	\$ -	\$ -	\$ -
Line 6	Personal Asset Liquidation	\$ -	\$ -	\$ -
Line 7	Third-Party Litigation Income	\$ -	\$ -	\$ -
Line 8	Miscellaneous - Other	\$ -	\$ -	\$ -
	Total Funds Available (Lines 1-8):			\$ 4,439,538.40
	Decreases in Fund Balance:			
Line 9	Disbursements to Investors			
Line 10	Disbursements for Business Operations [1]	\$ 22,212.34	\$ 22,212.34	\$ 22,212.34
Line 10a	Disbursements to Receiver or Other Professionals [1]	\$ 50,762.67	\$ 50,762.67	\$ 50,762.67
Line 10b	Business Asset Expenses		\$ -	
Line 10c	Personal Asset Expenses:	\$ -	\$ -	\$ -
Line 10d	Investment Expenses	\$ -	\$ -	\$ -
Line 10e	Third-Party Litigation	\$ -	\$ -	\$ -
Line 10f	Tax Administrator Fees and Bonds	\$ -	\$ -	\$ -
Line 10g	Federal and State Tax Payments	\$ -	\$ -	\$ -
	Total Disbursements for Receivership Operations	\$ 72,975.01	\$ 72,975.01	\$ 72,975.01
Line 11	Disbursements for Distribution Expenses Paid by the Fund:	\$ -	\$ -	\$ -
Line 11a	Distribution Plan Development Expenses:	\$ -	\$ -	\$ -
Line 11b	Distribution Plan Implementation Expenses:	\$ -	\$ -	\$ -
Line 12	Disbursements to Court/Other	\$ -	\$ -	\$ -

Line 12a	Investment Expenses/Court Registry Investment System (CRIS) Fees	\$ -	\$ -	\$ -
Line 12b	Federal Tax Payments	\$ -	\$ -	\$ -
	Total Disbursements to Court/Other			
	Total Funds Disbursed (Lines 9-11)			\$ 72,975.01
Line 13	Ending Balance (As of May 31, 2026)			\$ 4,366,563.39
Line 14	Ending Balance of Fund – Net Assets:			
Line 14a	Cash & Cash Equivalents			\$ 4,366,563.39
Line 14b	Investments			\$ -
Line 14c	Other Assets or Uncleared Funds			
	Total Ending Balance of Fund – Net Assets			\$ 4,366,563.39

[1] Funds were received and disbursed to administer the Receivership Estate and its assets. See Receipts and Expenses in Attachment 1 hereto.

Respectfully submitted,

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 Facsimile: 305-371-3965

/s/ Melanie E. Damian
 Melanie E. Damian
 Court-Appointed Receiver

Attachment 1 to Exhibit A to Receiver's Report
CFTC v. Fundsz et al. - Receipts of Fiduciary Account
Interest

Date	From	Amount
2/28/2026	interest	\$ 7,098.65
3/31/2026	interest	\$ 8,125.81
4/30/2026	interest	\$ 7,167.18
5/31/2026	interest	\$ 6,926.42
Total		\$ 29,318.06

GRAND TOTAL RECEIPTS \$ 29,318.06

CFTC v. Fundsz et al - Expenses of Fiduciary Account

Date	Payable	Amount
4/2/2026	Stretto	\$ 22,212.34
Total		\$ 22,212.34

Professional Fees Fee App 1/31/26

4/7/2026	Damain Valori Culmo	\$ 3,004.00
4/7/2026	Damain Valori Culmo	\$ 43,937.07
4/7/2026	Kapila Mukamal	\$ 570.00
4/7/2026	Kapila Mukamal	\$ 3,251.60
Total		\$ 50,762.67

GRAND TOTAL OF EXPENSES \$ 72,975.01