

Robert S. Banks, Jr., OSB No. 821862
Victoria Blachly, OSB No. 972805
Darlene D. Pasieczny OSB No. 124172
SAMUELS YOELIN KANTOR LLP
Attorneys at Law
111 SW 5th Ave., Suite 3800
Portland, Oregon 97204-3642
Telephone (503) 226-2966
Facsimile (503) 222-2937
bbanks@SamuelsLaw.com

Attorneys for Aequitas Investors Carolyn Harris, et al.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

SECURITIES AND EXCHANGE COMMISSION,

CASE NO. 3:16-cv-00438-PK

Plaintiff,

v.

AEQUITAS MANAGEMENT, LLC; AEQUITAS
HOLDINGS, LLC; AEQUITAS COMMERCIAL
FINANCE, LLC; AEQUITAS CAPITAL
MANAGEMENT, INC.; AEQUITAS
INVESTMENT MANAGEMENT, LLC; ROBERT
J. JESENİK; BRIAN A. OLIVER; and N. SCOTT
GILLIS,

INVESTOR OBJECTIONS TO
MOTIONS FOR RELIEF FROM
STAY OF DEFENDANTS BRIAN
OLIVER, SCOTT GILLIS AND
ROBERT JESENİK

Defendants.

A group of Aequitas investors, Carolyn Harris and others, objects to the motions for relief from stay of defendants Robert Jesenik (Docket No. 499), and Brian Oliver and Scott Gillis (Docket No. 496). The objecting investors join in the Receivership Entity's Opposition to Robert J. Jesenik's Motion for Relief From Receivership Order (Docket No. 527). The investors filing this objection have suffered Aequitas investment losses of approximately \$45 million, and are identified at pages 3-5 of the August 10, 2017 letter from Robert S. Banks, Jr. to Troy D.



Greenfield, which is attached as Exhibit 1 to the Declaration of Troy D. Greenfield (Docket No. 528). As described in that letter, these objecting investors have asserted claims against the defendants, including the moving defendants Jesenik, Oliver and Gillis.

The investors have been prevented from pursuing their claims against defendants for one and one-half years as a result of this Court's Order Appointing Receiver (Docket No. 156) and the litigation stay provided for in paragraph 20 of that Order. Unless this court denies the defendants' motions and grants the relief requested by the Receiver, any remaining insurance assets which might otherwise be used to partially satisfy any judgment or settlement of the claims of the Aequitas investors will be wasted before the investors' claims can be resolved. The objecting investors urge the Court to grant the relief requested by the Receiver.

Dated this 14th day of September, 2017.

SAMUELS YOELIN KANTOR LLP

By: /s/ Robert S. Banks, Jr.
ROBERT S. BANKS, JR., OSB No. 821862
Telephone: 503-226-2966
Facsimile: 503-222-2937
BBANKS@SamuelsLaw.com

Attorneys for Objecting Investors