Docket #0799 Date Filed: 2/20/2020

Rec's PHEN20 FEB*20 14:570SDC-ORP Brett M. Brown 28 Bower Lane Ladera Ranch, California 92694 (949) 402-3372

Honorable Judge Jolie A. Russo, Room 1027 United States District Court District of Oregon, Portland Division 1000 SW Third Ave., Portland, OR 97204

Troy Greenfield Lawrence R. Ream SCHWABE WILLIANSON & WYATT 1211 SW 5th Avenue, Suite 1900 Portland, OR 97204

> Re: Docket No. 787, case no. 16-cv-00438-JR Aequitas Management, LLC, et al. Non-Officer Former Employee Claims

Dear Sir/Madam:

, ŝ

I have received a copy of the Receiver's Motion to Approve Distribution Plan and Determination of a Ponzi Scheme (Docket No. 787, case no. 16-cv-00438-JR) (the "Motion"). The Motion misclassifies me as a former "officer" of Aequitas Management, LLC and, on that basis, apparently seeks to exclude me from receiving a priority distribution with respect to my former-employee claim. I write to object to this misclassification and request that my former-employee claim be considered and treated with the priority accorded to all other former employees.

Opposition to Classification

Referring to "Section VII. The Claims Process" on page 67 of Document 787, I believe I was erroneously included as a company officer

VII. THE CLAIMS PROCESS¹⁷⁶

Pursuant to and in compliance with this Court's Order (1) Establishing Claims Bar Date,

Brian Oliver, Craig Froude, Scott Gillis, Andrew MacRitchie, Olaf Janke, Brian Rice, William Ruh, Steve Hedberg, Brett Brown, Tom Goila, Patricia Brown, Bill Malloy, and Thomas Szabo.

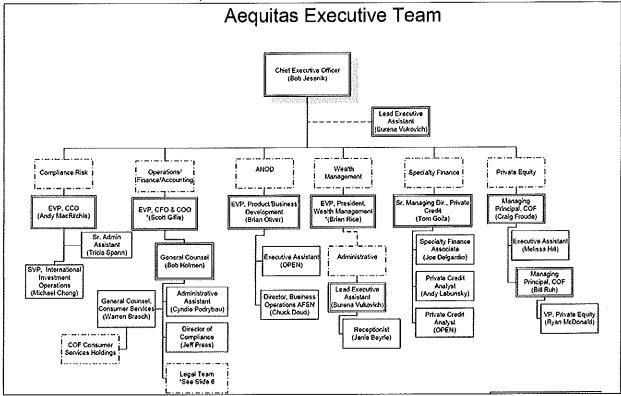
Thereby placing an incorrect designation that improperly excludes me from receiving "priority claims treatment commensurate with how they would be treated under both federal bankruptcy law and the Oregon Receivership Code. Non-Officer Former Employee Claims that accrued prior to the Aequitas Enterprise being placed in receivership will be paid from the QSF".



Page 1 of 2

Support for Reclassification

As documented in last organizational chart provided to me by Aequitas Human Resources, I am <u>not</u> listed as an officer within the Aequitas Executive Team:



Further examination of the ACM organization chart documents that as the SVP, Business Operations, my peers would be:

- 1. Ed Texeria (Chief Accounting Officer & SVP)
- 2. Michael Chong (SVP Investment Operations)
- 3. Patty Whittington (SVP Tax & Finance)
- 4. Katya Baron (Managing Director Cap Markets)
- 5. Michelle Agostine (SVP Marketing)
- 6. Bob Holmen (General Counsel)

However, none of the six (6) individuals listed above are excluded from receiving 'priority claims treatment'.

Conclusion

I formally request a change in my designation to be in-line with my peers and therefore receive priority claims treatment.

Very truly yours,

Surt My Known

Brett M. Brown