

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

SECURITIES AND EXCHANGE COMMISSION,)
)
 Plaintiff,)
)
 vs.)
)
 PATRICK CHURCHVILLE,)
 CLEARPATH WEALTH MANAGEMENT, LLC,)
)
 Defendants,)
)
 and)
)
 CLEARPATH MULTI-STRATEGY FUND I, L.P.,)
 CLEARPATH MULTI-STRATEGY FUND II, L.P.,)
 CLEARPATH MULTI-STRATEGY FUND III, L.P.,)
 HCR VALUE FUND, L.P.,)
)
 Relief Defendants.)

Case No. 15-CV-00191-S-LDA

ORDER APPROVING RECEIVER’S SIXTH INTERIM FEE APPLICATION

This matter having come on for Hearing on December 4, 2023, on the Receiver’s Sixth Interim Fee Application (the “Application”) by Stephen F. Del Sesto, Esq., Receiver herein. Having considered the Receiver’s Application and all filings related thereto and there being no objection advanced by any party and the Court being satisfied that Notice of said Hearing has been given to all interested parties known to the Receiver,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Application of Stephen F. Del Sesto, Esq., Receiver herein, and all acts, doings, and disbursements of said Receiver to date are hereby approved, confirmed and ratified;

2. The Receiver and the United States Securities and Exchange Commission (“SEC”) have discussed and agreed upon a discount to the Receiver’s sixth interim fee request in the amount of \$15,830.00, reducing the current fee request from \$63,649.63 to \$47,819.63. Said reduction represents time billed at the Receiver’s standard hourly rates which should have been unrated per the Billing Instructions for Receivers in Civil Actions Commenced by the US Securities and Exchange Commission (the “Billing Instructions”);

3. The Receiver and the SEC have further discussed and agreed upon an additional reduction in the amount of \$10,794.00, further reducing the current fee request from \$47,819.63 to \$37,025.63. Said reduction represents time billed on the Receiver’s prior, fifth interim fee request, previously approved by this Court, at the Receiver’s standard hourly rates which should have been unrated per the Billing Instructions;

4. In light of the agreed reductions set forth above, the Receiver's interim request for fees, costs and expenses in the agreed upon, reduced amount of \$37,025.63, which have accrued from October 1, 2022 through and including October 31, 2023, is hereby approved and the Receiver is hereby directed to pay himself said fees and costs from available cash-on-hand received from ClearPath Wealth Management, LLC’s claim in the MD Ponzi Scheme action;

5. All distributions to the three investors/claimants which the Receiver has confirmed are deceased and to which proper heirs or next of kin cannot be located or properly identified shall be redeposited into the pool of funds held by the Estate to be further distributed in accordance with the updated Rising Tide calculations to all other qualified investors/claimants;

6. On or before February 15, 2024, or at a later date as the SEC and Receiver determine may be necessary to accomplish the following, the SEC and the Receiver shall work together to:

- a. Take any and all steps necessary to dissolve ClearPath Wealth Management with the appropriate State and Federal agencies;

- b. Take all steps necessary to move this Court for a Final Judgment for ClearPath Wealth Management, to resolve this matter for the Relief Defendants, and to move this Court to dissolve the Receivership; and
- c. Make all final distributions from the Receivership Estate;

7. This matter shall be set for a status conference in February/March 2024 based on the Court's availability; and

8. This matter shall remain open and the Order Appointing Receiver entered herein shall remain in full force and effect until further Order of this Court.

IT IS SO ORDERED, this 29th day of December, 2023.



Honorable William E. Smith
UNITED STATES DISTRICT JUDGE

Dated: December 29, 2023