

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 20-CIV-21964-CMA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

TCA FUND MANAGEMENT GROUP CORP.,
et al.,
Defendants.

**RECEIVER'S UNOPPOSED MOTION FOR AUTHORIZATION TO RETAIN AND
SUBSTITUTE VENABLE LLP AS COUNSEL FOR THE RECEIVER**

Jonathan E. Perlman, Esq., court-appointed receiver (the "Receiver") over the Receivership Entities,¹ by and through undersigned counsel, hereby files this Unopposed Motion for Authorization to Retain and Substitute Venable LLP as Counsel for the Receiver (the "Motion") and states as follows:

1. On May 11, 2020, the Securities and Exchange Commission ("SEC") filed its Complaint for Injunctive Relief against TCA Fund Management Group, Corp., TCA Global Credit Fund GP, LTD, ("Receivership Defendants"), and TCA Global Credit Fund, LP, TCA Global Credit Fund, LTD, and TCA Global Credit Master Fund, LP ("Relief Defendants") (collectively, "Defendants"). [ECF No. 1].
2. The SEC also filed an Expedited Motion for Appointment of Receiver. [ECF No. 3].
3. On the same day, the Court granted the motion and appointed Jonathan E. Perlman,

¹ All terms not specifically defined herein have the meaning ascribed to them in the SEC's Motion for Appointment of Receiver [ECF No. 3] and the Court's Appointment Order [ECF No. 5], and the Court's First Expansion Order [ECF No. 16].

Esq., of the law firm Genovese Joblove & Battista, P.A., as permanent Receiver over the Receivership Entities [ECF No. 5] (“Appointment Order”).

4. Specifically, the Appointment Order stated: “Until further Order of this Court, Jonathan E. Perlman is appointed to serve without bond as receiver for the estates of the Receivership Entities and is given authority to retain Genovese Joblove & Battista, P.A. as counsel.” *Id.* at § I ¶ 2. Thereafter, Receiver’s counsel at Genovese Joblove & Battista, P.A. entered appearances accordingly.

5. Moreover, pursuant to the Appointment Order, the Receiver is empowered to, among other things, “engage and employ persons in Receiver’s discretion to assist Receiver in carrying out Receiver’s duties and responsibilities....” *Id.* at § II ¶ 5.F.

6. Further, pursuant to § XIV ¶¶ 52–53, the Receiver may solicit persons and entities (“Retained Personnel”) to assist the Receiver in carrying out his duties under the Appointment Order. Retained Personnel may only be engaged after “Order of the Court authorizing such engagement.” *Id.*

7. Effective January 1, 2023, the Receiver, Jonathan E. Perlman, as well as his counsel at Genovese Joblove & Battista, P.A. will become part of the law firm Venable LLP.

8. Accordingly, the Receiver seeks authority to retain Venable LLP as counsel for the Receiver effective January 1, 2023, and to substitute Venable LLP for Genovese Joblove & Battista, P.A. as of the same date.

9. The lawyers representing the Receiver will be the same as they have been since the inception of the Receivership, and the terms of engagement with Venable LLP will be the same as they were with Genovese Joblove & Battista, P.A.

10. Moreover, no conflicts of interest exist in connection with Venable LLP’s retention

in this matter.

WHEREFORE, Receiver Jonathan E. Perlman, by and through his undersigned counsel respectfully requests that this Honorable Court grant the Motion and authorize the Receiver to retain and substitute Venable LLP as counsel for the Receiver effective January 1, 2023, and for such other relief as this Court deems just and proper.

S.D. Fla. L.R. 7.1(A)(3) CERTIFICATE OF CONFERENCE

Undersigned counsel hereby certifies that counsel for the Receiver, Elizabeth G. McIntosh, conferred with counsel for the SEC, Stephanie Moot, on December 21, 2022, via phone, regarding the requested relief and is authorized to represent that the SEC has no objection to the relief requested herein.

Receiver for the Receivership Entities

By: /s/ Jonathan E. Perlman
Jonathan E. Perlman, Esq.
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-and-

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By: /s/Elizabeth G. McIntosh
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was served via CM/ECF Notification to all parties and notification of such filing to all CM/ECF participants in this case on the 21st day of December, 2022.

/s/ Elizabeth G. McIntosh

Elizabeth G. McIntosh, Esq.

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SECURITIES AND EXCHANGE
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Defendants.

**ORDER GRANTING RECEIVER'S UNOPPOSED MOTION FOR AUTHORIZATION
TO RETAIN AND SUBSTITUTE VENABLE LLP AS COUNSEL FOR THE RECEIVER**

THIS CAUSE, having come before the Court upon Jonathan E. Perlman, as court-appointed Receiver's (the "Receiver"), Unopposed Motion For Authorization To Retain and Substitute Venable LLP as Counsel for the Receiver (the "Motion"), and the Court having reviewed the file and the pleadings, being informed that the relief sought therein is unopposed, and being otherwise fully advised in the premises, it is hereby **ORDERED AND ADJUDGED** that:

1. The Motion is **GRANTED**.
2. The Receiver is authorized to retain Venable LLP as counsel for the Receiver effective January 1, 2023.
3. Venable LLP shall be substituted in place of Genovese Joblove & Battista, P.A. effective January 1, 2023.

DONE AND ORDERED, in chambers at Miami, Florida, this ___ day of December, 2022.

HONORABLE CECILIA M. ALTONAGA
United States District Judge

Copies furnished to counsel of record