

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

Case No. : 6:16-CV-02123-Orl-31DCI

v.

J. WILLIAM ENTERPRISES, LLC, a Florida  
limited liability company, also d/b/a PRO  
TIMESHARE RESALES;

PRO TIMESHARE RESALES OF FLAGLER  
BEACH, LLC, Florida limited liability company;

JESS KINMONT, individually and as an officer  
of J. WILLIAM ENTERPRISES, LLC and PRO  
TIMESHARE RESALES, LLC;

and

JOHN P. WENZ, JR., individually and as an  
officer of PRO TIMESHARE RESALES OF  
FLAGLER BEACH, LLC,

Defendants.

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**TENTH INTERIM REPORT OF RECEIVER BRIAN A. MCDOWELL**

(covering the period from August 26, 2017 through September 29, 2017)

Brian A. McDowell, as Permanent Receiver (“Receiver”) of J. William Enterprises, LLC (“JWE”) and Pro Timeshare Resales of Flagler Beach, LLC (“Pro Timeshare Flagler”) (JWE and Pro Timeshare Flagler are collectively referred to as the “Receivership Defendants”), and pursuant to this Court’s Order dated January 4, 2017 (Doc. No. 61), by and through his undersigned counsel, files this Tenth Interim Report of Receiver (“Tenth Report”).

**I. ACCOUNTS, RECEIPTS, AND DISBURSEMENTS.**

The Receiver’s total receipts to date and disbursements for the period of August 26, 2017 through September 29, 2017, are as follows:

Total Receipts:	\$ 2,313,842.30
Disbursements from all Prior Periods:	\$ 323,189.53
Disbursements for Period of August 26, 2017 through September 29, 2017:	\$ 1,134.75
Current Balance:	\$ 1,989,518.02

An itemization of disbursements for the period covered by this Tenth Report is attached as **Exhibit A**.<sup>1</sup>

**II. RECEIVER’S ACTIVITIES**

**a. Conversion of JWE Receivership Account into an Interest Bearing Account**

The Receiver has converted the JWE Receivership Account (“JWE Account”) into an interest-bearing account. Balances in the JWE Account will now bear interest at a rate of 0.35% APY. Accrued interest will be deposited into the JWE Account on the last day of each month.

**b. Property Management Services at the Bunnell Property**

The Receiver has retained the services of a property manager, Realty Exchange, to

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<sup>1</sup> Seaside Account Number xxxxxx0309 related to JWE and Kinmont, and Seaside Account Number xxxxxx7799 related to Pro Timeshare Flagler and Wenz (collectively, the “Receivership Accounts”).

perform weekly inspections of the Bunnell Property and coordinate maintenance and repair services subject to the Receiver's prior approval. To date, the property manager has engaged a lawn maintenance company to mow, edge, trim plants/trees, and collect debris in the aftermath of Hurricane Irma. The lawn maintenance company will perform said services on a weekly basis during the growing season and on a bi-weekly basis during the dormant season.

After observing roof damage over the kitchen area of the building, the property manager has engaged a company to tarp the affected areas until repairs can be performed.

**c. Status of DeLand Property**

The Receiver's counsel traveled to the DeLand Property to assess whether it sustained any damage as a result of Hurricane Irma. The Receiver's counsel did not observe any storm-related damage.

**d. Continued Preservation and Recovery of Assets of the Estate**

The Receiver is continuing to preserve the real property, physical assets, and electronically stored data of the Receivership Defendants. The Receiver intends to maintain the Receivership Defendants' former office properties through the pendency of the Receivership, and continues to store the office equipment and other business related assets at those office properties at no charge to the estate.

The Receiver is also still in the process of reviewing the financial records of the Receivership Defendants for the potential recovery of additional assets. If, upon review of all of the information available, the Receiver discovers any transfers that may be susceptible to avoidance actions, the Receiver will consider whether the pursuit of such

actions would provide a material benefit to the Receivership Estate in light of the cost to the estate to seek avoidance of the transfers.

Dated this 29<sup>th</sup> day of September, 2017.

Respectfully submitted,

/s/ Robert W. Davis, Jr.  
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*Counsel for Receiver*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 29<sup>th</sup> day of September, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF System, which will send electronic filing to all counsel of record.

/s/ Robert W. Davis, Jr.  
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<b>JWE Account History</b>				
<b>DATE HONORED</b>	<b>DESCRIPTION</b>	<b>DEPOSITS</b>	<b>WITHDRAWALS</b>	<b>BALANCE</b>
	Beginning Balance as of August 26, 2017			\$1,974,807.75
8/29/2017	Check to Duke Energy (August charges)		\$106.09	\$1,974,701.66
8/29/2017	Check to Spectrum Business (August charges)		\$308.82	\$1,974,392.84
8/31/2017	Interest Credit	\$188.82		\$1,974,581.66
9/8/2017	Deposit (Refund from Florida Blue)	\$414.35		\$1,974,996.01
9/28/2017	Check to Spectrum Business (September charges)		\$304.26	\$1,974,691.75
9/28/2017	Deposit (Refund from Florida Blue)	\$599.84		\$1,975,291.59
<b>Pro Timeshares Flagler Account History</b>				
<b>DATE HONORED</b>	<b>DESCRIPTION</b>	<b>DEPOSITS</b>	<b>WITHDRAWALS</b>	<b>BALANCE</b>
	Beginning Balance as of August 26, 2017			\$14,642.01
9/20/2017	Check to City of Bunnell, FL - Utilities (July and August charges)		\$285.77	\$14,356.24
8/21/2017	Check to Florida Power and Light (August charges)		\$129.81	\$14,226.43