

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.

TWELFTH INTERIM REPORT OF RECEIVER BRIAN A. MCDOWELL
(covering the period from October 28, 2017 through November 22, 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 Twelfth Interim Report of Receiver (“Twelfth Report”).

I. ACCOUNTS, RECEIPTS, AND DISBURSEMENTS.

The Receiver's total receipts to date and disbursements for the period of October 28, 2017 through November 22, 2017, are as follows:

Total Receipts:	\$ 2,314,967.48
Disbursements from all Prior Periods:	\$ 466,614.37
Disbursements for Period of October 28, 2017 through November 22, 2017:	\$ 1,127.30
Current Balance:	\$ 1,847,225.81

An itemization of disbursements for the period covered by this Twelfth Report is attached as **Exhibit A**.¹

II. RECEIVER'S ACTIVITIES

a. Oversee Access to Corporate Records

On October 28, 2017, Receiver's counsel met with Plaintiff's counsel at the Receivership Defendants' DeLand office location and provided access to the office to review and copy various corporate records and documents of the Receivership Defendants. Additionally, on October 28 and October 29, 2017, Receiver's counsel provided Plaintiff's counsel with access to the Receiver's office in Orlando to review and copy various corporate records and documents of the Receivership Defendants. Receiver's counsel was

¹ Seaside Account Number xxxxxx0307 related to JWE and Kinmont, and Seaside Account Number xxxxxx7799 related to Pro Timeshare Flagler and Wenz (collectively, the "Receivership Accounts").

present at all times and observed Plaintiff's counsel while they accessed the receivership records.

On November 1, 2017, Receiver's counsel provided Defendants' counsel with access to his Orlando office to review and copy various corporate records and documents of the Receivership Defendants. On November 2, 2017, Receiver's counsel traveled to the Receivership Defendants' DeLand office location and the Bunnell office location to meet with Defendants' counsel to provide them with access to those offices to allow them to review and copy the Receivership Defendants' corporate records and documents. Receiver's counsel was present at all times and observed Defendants' counsel while they accessed the receivership records.

b. Break in at Bunnell Office Location

On November 2, 2017, counsel for the Receiver discovered a broken window at the Receivership Defendants' Bunnell office location. Counsel for the Receiver contacted the property manager previously retained by the Receiver and instructed him to board the window and secure the premises. Upon examination and review of the office premises and the Receiver's prior inventory of the premises, it appears that the only missing property was a DVD player.

c. Continued Preservation of Assets of the Estate

The Receiver continues to preserve the real property, physical assets, and electronically stored data of the Receivership Defendants, and intends to continue maintaining 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 analyzing the potential recovery of additional assets, either through avoidance actions or through a motion to bring certain funds and assets into the receivership estate, and will file such action or motion upon a determination that those efforts will bring a material benefit to the receivership estate.

Dated this 22nd day of November, 2017.

Respectfully submitted,

/s/ Robert W. Davis, Jr.
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Fax: (407) 244-5288
Counsel for Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of November, 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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JWE Account History				
DATE HONORED	DESCRIPTION	DEPOSITS	WITHDRAWALS	BALANCE
	Beginning Balance as of October 28, 2017			\$1,834,188.76
10/31/2017	Check to Duke Energy (October charges)		\$88.49	\$1,834,100.27
10/31/2017	Interest Credit	\$577.51		\$1,834,677.78
11/14/2017	Check to Spectrum Business (November charges)		\$304.26	\$1,834,373.52
Pro Timeshares Flagler Account History				
DATE HONORED	DESCRIPTION	DEPOSITS	WITHDRAWALS	BALANCE
	Beginning Balance as of October 28, 2017			\$13,586.84
11/14/2017	Check to Florida Power and Light (October charges)		\$95.97	\$13,490.87
11/15/2017	Check to Realty Exchange (Property manager)		\$90.00	\$13,400.87
11/15/2017	Check to City of Bunnell, FL - Utilities (October charges)		\$136.08	\$13,264.79
11/21/2017	Check to Realty Exchange (Roof tarping and window repair)		\$412.50	\$12,852.29
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Exhibit "A"