

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SECURITIES AND EXCHANGE)
COMMISSION,)
)
Plaintiff,)
)
v.)
)
KEVIN B. MERRILL, et al.,)
)
Defendants.)

Case No.: 1:18-cv-02844-RDB

NOTICE OF PROPOSED PUBLIC AUCTION

This Notice of Proposed Public Auction (the “Notice”) seeks approval of the auction and sale of certain items of personal property (the “Property”) of the Receivership Estate by public auction that may adversely affect you. If you oppose the auction or sale of the Property identified in this Notice, or if you have a claim to or against the Property, you should immediately contact the undersigned counsel for Receiver Gregory S. Milligan (the “Receiver”). If you and the Receiver cannot agree, you must file a written objection (or a claim of ownership or interest in the Property, identifying the source of your claim) to the proposed auction or sale within 30 days of the date this Notice was filed with the Court. Your objection or claim must state why the proposed auction or sale should not be approved by the Court. If no party files a timely objection or claim, the proposed auction and sale shall be deemed approved by the Court without further Order, thereby authorizing Heritage Auctioneers & Galleries, Inc. to conduct the public auction and close on the sale of the Property.

Receiver Gregory S. Milligan, of the firm Harney Partners (the “Receiver”), files this Notice of his intention to auction the comics (the “Property”) identified on **Exhibit 1** hereto pursuant to the Property Sales Procedures authorized by the Modified Consent Order Vacating ECF #248 and Granting Receiver Gregory S. Milligan’s Motion ECF #247 as Modified (the “Order”) (Dkt. No. 272), which granted as modified the Receiver’s Motion to Approve Procedures for Sale of Personal Property and for Order Authorizing Retention, Employment, and Compensation of Heritage Auctioneers & Galleries, Inc., as Broker (Dkt. No. 247).

In the event that no objection or claim is filed within thirty (30) days of the date this Notice, the Receiver has authority, without further Order of the Court, to hold a public online auction and sale of the Property in this Notice on April 26, 2020 at 6:00 P.M. CT, at <https://comics.ha.com/c/auction-home.zx?saleNo=122017>. Bidding for the auction will open one week prior to the auction date.

The Receiver reserves the right to postpone or terminate the proposed sale of the Property for any reason that he deems to be in the best interest of the Receivership Estate.

To contact the Receiver's counsel regarding an objection or for additional information related to this Notice, please contact Lynn H. Butler, c/o Penny Keller, at (512) 370-3458 (phone), (512) 479-1101 (fax), or penny.keller@huschblackwell.com.

Date: March 25, 2020.

Respectfully Submitted,

/s/ Lynn H. Butler

Lynn H. Butler, *pro hac vice*
HUSCH BLACKWELL LLP
111 Congress Ave., Suite 1400
Austin, TX 78701
Tel: (512) 472-5456
Fax: (512) 479-1101
lynn.butler@huschblackwell.com

Brian P. Waagner, Fed. Bar No. 14954
HUSCH BLACKWELL LLP
750 17th Street, NW, Suite 900
Washington, D.C. 20006
Tel: (202) 378-2300
Fax: (202) 378-2318
brian.waagner@huschblackwell.com

Buffey E. Klein, *pro hac vice*
HUSCH BLACKWELL LLP
2001 Ross Avenue, Suite 2000
Dallas, Texas 75201
Tel: (214) 999-6100
Fax: (214) 999-6170
buffey.klein@huschblackwell.com

Counsel for Receiver Gregory S. Milligan

CERTIFICATE OF SERVICE

On March 25, 2020, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court for the District of Maryland, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically through the Court's CM/ECF filing system for all parties who have registered to receive electronic service. Additionally, the foregoing document was served on the following parties not registered for Court's CM/ECF filing system as indicated below:

Defendant Kevin B. Merrill (via U.S. Mail):

Kevin B. Merrill, #64274-037
FCI Allenwood Low
Federal Correctional Institution
P.O. Box 1000
White Deer, PA 17887

Defendant Jay B. Ledford (via U.S. Mail):

Jay B. Ledford, #55055-048
FCI Safford
Federal Correctional Institution
P.O. Box 9000
Safford, AZ 85548

Criminal Counsel for Defendant Kevin B. Merrill (via E-Mail and U.S. Mail):

Elizabeth Genevieve Oyer
Office of the Federal Public Defender
100 S Charles St Ste 900 Tower II
Baltimore, MD 21201
liz_oyer@fd.org

Maggie Grace
Office of the Federal Public Defender
100 S Charles St, Tower II, 9th Floor
Baltimore, MD 21201
maggie_grace@fd.org

Criminal Counsel for Defendant Jay B. Ledford (via E-Mail and U.S. Mail):

Harry J Trainor , Jr
Trainor Billman Bennett and Milko LLP
116 Cathedral St Ste E
Annapolis, MD 21401
htrain@prodigy.net

Criminal Counsel for Defendant Cameron R. Jezierski (via E-Mail and U.S. Mail):

Joseph J Aronica
Duane Morris LLP
505 9th St NW Ste 1000
Washington, DC 20004
jjaronica@duanemorris.com

Criminal Counsel for Relief Defendant Amanda Merrill (via E-Mail and U.S. Mail):

Addy R. Schmitt
Ian Herbert
Miller & Chevalier Chartered
900 16th St NW
Washington, DC 20006
aschmitt@milchev.com
iherbert@milchev.com

Relief Defendant Lalaine Ledford (via U.S. Mail):

Lalaine Ledford
10512 Courtney Cove Ave.
Las Vegas, NV 89144
lalainebarretto@yahoo.com

Baltimore County Office of Law (via E-Mail and U.S. Mail):

Susan B. Dubin
Baltimore County Office of Law
400 Washington Avenue
Towson, Maryland 21204
sdubin@baltimorecountymd.gov

Dundalk United Methodist Church (U.S. Mail):

Dundalk United Methodist Church
c/o Edward F. Mathus
6903 Mornington Road
Baltimore, Maryland 21222

Lienholders, Tax Assessors, and Other Interested Parties (U.S. Mail):

Florida Community Bank, N.A.
2325 Vanderbilt Beach Road
Naples, Florida 34109

Mortgage Electronic Registration Systems, Inc.
PO Box 2026
Flint, Michigan 48501-2026

Collier County, Florida Tax Assessor
3291 Tamiami Trail East
Naples, Florida 34112

Maryland Department of Assessments & Taxation
301 W. Preston Street
Baltimore, Maryland 21201-2395
Branch Banking and Trust Company,
A North Carolina Banking Corporation
PO Box 1290
Whiteville, North Carolina 28472

Talbot County, Maryland Finance Office
Talbot County Courthouse
11 North Washington Street, Suite 9
Easton, Maryland 21601

HSBC Bank USA, National Association, as trustee of
J.P. Morgan Alternative Loan Trust 2006-A5
c/o Howard n. Bierman, Trustee
c/o Select Portfolio Servicing, Inc.
3815 Southwest Temple
Salt Lake City, Utah 84115

Clark County, Nevada Tax Assessor
500 S. Grand Central Parkway
Las Vegas, Nevada 89155

First Financial Bank, N.A. Southlake
3205 E. Hwy. 114
PO Box 92840
Southlake, Texas 76092

Hunter Kelsey of Texas, LLC
4131 Spicewood Springs Road, Bldg. J-1A
Austin, Texas 78759

Frost Bank, f/k/a The Frost National Bank
c/o Michael J. Quilling
Quilling, Selander Lownds, Winslett & Moser, P.C.
2001 Bryan Street, Suite 1800
Dallas, Texas 75201

The City of Colleyville, Texas
c/o Victoria W. Thomas
Nichols, Jackson, Dilard, Hager & Smith, L.L.P.
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201

Tarrant County, Texas Tax Assessor
100 E. Weatherford
Fort Worth, Texas 76196

J Trust
c/o Hillary RE. Badrow, Trustee
2801 Paramount Boulevard
Amarillo, Texas 79109

Dallas Central Appraisal District
2949 N. Stemmons Freeway
Dallas, Texas 75247-6195

Bozeman West
PO Box 1970
15632 West Main Street
Bozeman, Montana 59771-1970

Neil A. Patel
5308 Burgandy Court
Colleyville, Texas 76034

TIB – The Independent Bankers Bank
350 Phelps Court, Suite 200
PO Box 560528i
Dallas, Texas 75356-0528

Wachovia Mortgage, FSB
PO Box 659548
San Antonio, Texas 78265-9548

Denton County Tax Assessor
1505 E. McKinney Street
Denton, Texas 76209-4525

Potter County, Texas Tax Assessor
900 South Polk, Suite 106
Amarillo, Texas 79101

Wells Fargo Home Mortgage
P.O. Box 10335
Des Moines, IA 50306

Albertelli Law
Attn: Coury M. Jacocks
2201 W. Royal Lane, Suite 155
Irving, TX 75063

Samual I. White, P.C.
5040 Corporate Woods Drive, Suite 120
Virginia Beach, VA 23462

/s/ Lynn H. Butler

Lynn H. Butler

EXHIBIT 1

COMICS LISTED FOR AUCTION

Row #	FBI Inventory	Description	Owner
269	1B508	Amazing Spider Man #8 8.0	Merrill
271	1B508	Amazing Spider Man #19 8.5	Merrill
272	1B508	Amazing Spider Man #32 9.2	Merrill
273	1B508	Amazing Spider Man #36 9.4	Merrill
275	1B508	Amazing Spider Man #41 9.6	Merrill
283	1B508	Daredevil #2 9.2	Merrill
288	1B509	Avengers #11 9.4	Merrill
289	1B509	The Defenders #1 9.6	Merrill
291	1B509	Fantastic Four #20 8.0	Merrill
292	1B509	The Incredible Hulk #102 9.0	Merrill
293	1B509	The Ghost Rider # 7.5	Merrill
295	1B509	Amazing Spider Man #10 9.2	Merrill
296	1B509	Amazing Spider Man #23 8.0	Merrill
297	1B509	Amazing Spider Man #40 5.0	Merrill

299	1B509	Amazing Spider Man #48 9.4	Merrill
300	1B509	Amazing Spider Man #53 9.2	Merrill
301	1B509	Amazing Spider Man #69 9.2	Merrill
302	1B509	Amazing Spider Man #73 9.2	Merrill
304	1B509	Amazing Spider Man #93 9.6	Merrill
305	1B509	Amazing Spider Man #96 7.0	Merrill
306	1B509	Amazing Spider Man #97 8.0	Merrill
307	1B509	Amazing Spider Man #101 6.5	Merrill
*	1B527	Spider Man #94 8.5	Merrill
*	1B527	Spider Man #59 8.5	Merrill
*	1B527	Spider Man #77 9.0	Merrill
*	1B527	Spider Man #54 9.0	Merrill
*	1B527	Spider Man #81 8.5	Merrill
*	1B527	Spider Man #21 8.5	Merrill
*	1B527	Spider Man #85 9.4	Merrill

*	1B527	Spider Man #20 9.0	Merrill
*	1B527	Spider Man #18 9.0	Merrill
*	1B527	Spider Man #88 9.4	Merrill
*	1B527	Spider Man #31 9.0	Merrill
*	1B527	Spider Man #12 9.0	Merrill
*	1B527	Spider Man #117 9.6	Merrill
*	1B527	Spider Man #46 9.0	Merrill
*	1B527	Spider Man #71 9.2	Merrill
*	1B527	Spider Man #22 9.0	Merrill
*	1B527	Spider Man #66 9.4	Merrill
*	1B527	Spider Man #91 9.4	Merrill

* These items were unintentionally excluded from the list of personal property attached as Exhibit 1 to the Modified Consent Order Vacating ECF #248 and Granting Receiver Gregory S. Milligan's Motion ECF #247 as Modified (Dkt. No. 271). However, no party had objected, and Relief Defendant Amanda Merrill expressly consented, in writing through counsel, to the sale of any of Defendant Kevin B. Merrill's comic books.