

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 18-cv-61991-BLOOM/Valle**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

v.

**1 GLOBAL CAPITAL LLC, and  
CARL RUDERMAN,**

**Defendants, and**

**1 WEST CAPITAL LLC, et al.,**

**Relief Defendants.**

---

**PLAINTIFF'S RESPONSE IN SUPPORT OF RECEIVER'S NINTH APPLICATION  
FOR ALLOWANCE AND PAYMENT OF FEES AND EXPENSES**

Plaintiff Securities and Exchange Commission files this brief response in support of the Receiver's Ninth Application for Allowance and Payment of Fees and Expenses (DE 317) to express its appreciation for the Receiver's efforts throughout the case and for his agreement to forego payment of a portion of the fees held back from previous applications for the benefit of defrauded investors.

The fee application, along with the contemporaneously filed Ninth Status Report (DE 316) and Motion for Leave to Make a Second Distribution (DE 318) indicate that the Receiver and his counsel are wrapping up the Receivership and are looking to close it down within the next two to three months. The Commission appreciates the Receiver's outstanding efforts to recover more than \$11 million for the benefit of defrauded investors. Furthermore, although the Receiver and his professionals performed their work at discounted rates, and did not raise rates during the four years of the Receivership, they generously agreed to forego payment of approximately 27 percent

of the funds held back from previous fee applications (or 5.5 percent of their total fees). That money will increase the amount available for distribution to defrauded investors by approximately \$130,000. The Commission appreciates the willingness of the Receiver and his professionals to do this in recognition of the public service work the Court appointed them to do.

Respectfully submitted,

November 10, 2022

**Robert K. Levenson, Esq.**

Robert K. Levenson

Senior Trial Counsel

Florida Bar No. 0089771

Direct Dial: (305) 982-6341

Email: [levensonr@sec.gov](mailto:levensonr@sec.gov)

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

801 Brickell Avenue, Suite 1950

Miami, Florida 33131