

CAUSE NO. D-1-GV-10-000454

STATE OF TEXAS,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
RETIREMENT VALUE, LLC, et al,	§	
	§	
Defendants.	§	126 <sup>th</sup> JUDICIAL DISTRICT

**RECEIVER'S SUPPLEMENT TO THE  
MOTION TO RETAIN COLLECTION AGENCY**

Eduardo S. Espinosa, court-appointed receiver for Retirement Value, LLC, supplements his previous motion for authority to retain the Law Offices of John Henry PC and its affiliated collection agency, Quarternight Financial Services, LLC (collectively, Quarternight), to collect the remaining judgments owed to the estate.

In an effort to secure a more favorable deal for the receivership, the Receiver has negotiated a more-favorable deal and supplements its request to the Court to authorize retention of Quarternight.

Previously, the Receiver had negotiated to pay Receiver's contingency fee counsel, George Brothers Kinkaid & Horton, a 20% contingency fee on all judgments delegated to Quarternight. After further negotiations, GBKH has agreed to a 10% contingency fee on any default judgment that is delegated to Quarternight, and 20% on any other judgment it obtains and delegates to Quarternight for collection. Quarternight will still advance any costs or expenses incurred in its collection efforts and the contingency fee will be paid on the net amount recovered after repayment of expenses.

The Receiver believes that this modified contingency fee is fair, and more favorable to the receivership. GBKH is entitled to be paid for the work that it performed in obtaining the judgments, and Quarternight is entitled to be paid for the work that it will perform. While GBKH was vastly qualified to obtain the judgments in these highly contested cases and did an excellent job, Quarternight is better qualified both in terms of its experience and its organization to collect these outstanding judgments which remain uncollected despite GBKH's efforts over the past few years.

ACCORDINGLY, the Receiver respectfully requests that the Court authorize him to retain Quarternight on the terms set forth in this motion.

Respectfully submitted,

By: /s/ Michael D. Napoli  
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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all counsel of record listed below, through the electronic filing manager if that counsel's e-mail address is on file or via e-mail, if not, on this 12<sup>th</sup> day of January, 2017.

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