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March 29, 2024

VIA WEB POSTING & EMAIL

Re: *Securities & Exchange Commission v. Quiros, et al.*,
United States District Court, Southern District of Florida
Case No. 16-cv-21301-GAYLES ("SEC Action")

Proposed Distribution to Jay Peak & Burke Investors – **Objection Deadline April 8, 2024**

Dear Jay Peak and Burke Investors,

As many of you are aware by my recent website update, on March 25, 2024, I filed the [Receiver's Unopposed Motion for Authorization to Make a Third Interim Distribution to Jay Peak Investors in Phases II-VI and Second Interim Distribution to Burke Investors in Phase VIII](#) [ECF No.: 763] (the "Interim Distribution Motion"). The Interim Distribution Motion seeks the Court's approval to make a **Third Distribution** in the approximate amount of \$26,890,137 to the **Jay Peak Phase II through VI investors** ("Jay Peak Investors") which amounts to approximately \$50,832.02 per eligible investor ("Third Distribution"). The proposed Third Distribution represents the available proceeds from the following: additional net proceeds from the sale of the Jay Peak Resort, sale of property that was seized from Ariel Quiros, and proceeds from the settlements with Mitchell Silberberg & Knupp and the State of Vermont (the "Litigation Settlements"). The Receiver anticipates making a small fourth and final distribution to the Jay Peak Investors as more fully referenced in the Interim Distribution Motion.

Moreover, the Interim Distribution Motion also seeks to make a **Second Distribution** in the approximate amount of \$3,135,000 to the **Burke Phase VIII investors** ("Burke Investors") which amounts to approximately \$25,909.09 per eligible investor. The proposed distribution to the Burke Investors derive from the available funds of the sale of property seized from Ariel Quiros as well as the Litigation Settlements. Importantly, I anticipate making a significant additional distribution to the Burke Investors after the Burke Mountain Hotel is sold which I hope to finalize later this year. This additional distribution will consist of the sales proceeds of the hotel; the approximate \$10 million in funds I'm holding in in escrow solely for the Burke Investors under the

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Raymond James settlement; a portion of the proceeds of the remaining Quiros Property; and a portion of the remaining State of Vermont settlement proceeds after they are received.

There are 529 remaining investors in Jay Peak Phases II – VI and 121 investors in Burke Phase VIII. Of the total 650 remaining investors, Jay peak investors represent 81% and the Burke investors represent 19%. My proposed distributions are based on splitting the general and available recovered proceeds by paying 81% to the Jay Peak Investors and 19% to the Burke Investors. Further, recovered proceeds that are easily identifiable as belonging to a specific investor group—such as the sales proceeds from the Jay Peak Resort, the proposed distribution contemplates paying 100% to the Jay Peak Investors.

I believe the proposed distribution is fair and equitable to both the Jay Peak and Burke Investors. **To the extent that you wish to file an objection to Interim Distribution Motion, you must do so on or before April 8, 2024.** Please be advised that any objection must be filed, in writing, with the Court in the SEC Action referenced above, and served by email and regular mail to the following:

Michael I. Goldberg, Esq.
Akerman LLP
The Main Las Olas
201 East Las Olas Boulevard, Suite 1800
Fort Lauderdale, FL 33301

Email: michael.goldberg@akerman.com

Please refer to the Interim Distribution Motion for more details which can be found on my website at www.jaypeakreceivership.com.

Sincerely,



Michael I. Goldberg
Receiver