

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

**CASE NO. 16-CV-21301-GAYLES**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

v.

**ARIEL QUIROS, et al.,**

**Defendants, and**

**JAY CONSTRUCTION MANAGEMENT, INC., et al.,**

**Relief Defendants.**

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**PLAINTIFF'S UNOPPOSED MOTION TO LIFT THE ASSET FREEZE  
AGAINST DEFENDANT ARIEL QUIROS**

Plaintiff Securities and Exchange Commission moves the Court to lift the asset freeze it previously entered against Defendant Ariel Quiros because he has turned over 16 pieces of real property and other assets to the Commission and the Receiver in satisfaction of disgorgement and civil penalty orders against him. In support, the Commission states as follows:

The Court originally entered the asset freeze against Quiros at the Commission's request on an *ex parte*, emergency basis at the outset of the case. DE 11. It subsequently continued the freeze in connection with granting the Commission's request for a preliminary injunction and other associated relief. DE 238. Quiros later agreed to settle the Commission's case against him, which resulted in the entry of a Final Judgment against Quiros that, among other things, kept the asset freeze in place until Quiros turned over the real property and other assets to the Commission and the Receiver to satisfy the disgorgement and penalty orders. DE 450. The Final Judgment was

amended by consent to change one of the properties Quiros would turn over and to fix a scrivener's error. DE 474.<sup>1</sup>

Both the Final Judgment and Amended Final Judgment contained identical provisions keeping the asset freeze in place, and stipulating that the Court would lift the freeze upon the Commission and the Receiver notifying it that Quiros had satisfied his monetary obligations. DE 450, 474 at Section II. The Commission and the Receiver have conferred, and Quiros has satisfied all of his monetary obligations under the Final Judgment and Amended Final Judgment by turning over the property and other required assets to the Receiver. Accordingly, the Commission now requests the Court to enter the attached proposed order lifting the asset freeze against Quiros and extinguishing it.

Pursuant to Local Rule 7.1(a)(3), the Commission has conferred with counsel for Quiros and with the Receiver, who do not oppose the relief sought in this motion.<sup>2</sup> Consequently, the Commission asks the Court to enter an order lifting the asset freeze against Quiros. A proposed order is submitted herewith.

Respectfully submitted,

January 11, 2019

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<sup>1</sup> After entering the asset freeze, the Court modified it several other times at the request of the parties. DE 320, 346, 399, 420, 435, 458, 495, and 505.

<sup>2</sup> Although it does not have standing to contest lifting the freeze, the Commission has notified intervener Citibank that it is filing this motion.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 11, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/Robert K. Levenson  
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**SERVICE LIST**

*SEC v. Ariel Quiros, et al.*  
Case No. 16-CV-21301-GAYLES

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**ORDER GRANTING PLAINTIFF'S UNOPPOSED MOTION TO LIFT THE ASSET  
FREEZE AGAINST DEFENDANT ARIEL QUIROS**

**THIS MATTER** is before the Court on Plaintiff's Unopposed Motion To Lift The Asset Freeze Against Defendant Ariel Quiros (DE \_\_\_\_). Having reviewed the motion and the record, and noting that the motion is unopposed, it is:

**ORDERED AND ADJUDGED** that the motion is **GRANTED**. Quiros has turned over 16 pieces of real property and certain other assets to the Commission and the Receiver in satisfaction of disgorgement and civil penalty orders against him. Accordingly, pursuant to DE 450 and 474, the asset freeze the Court entered against Quiros (DE 11 and 238, and as modified by DE 458 and certain other orders) is lifted and extinguished in its entirety.

**DONE AND ORDERED** in Chambers in Miami, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2019.

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THE HON. DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE

Copies: Counsel and parties of record