

FILED

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ST-2020-CV-00014

TAMARA CHARLES
CLERK OF THE COURT

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS & ST. JOHN**

GOVERNMENT OF THE UNITED STATES VIRGIN
ISLANDS,

Plaintiff,

v.

DARREN K. INDYKE, in his capacity as the
EXECUTOR OF THE ESTATE OF JEFFREY E.
EPSTEIN AND ADMINISTRATOR OF THE 1953
TRUST; RICHARD D. KAHN, in his capacity as the
EXECUTOR OF THE ESTATE OF JEFFREY E.
EPSTEIN and ADMINISTRATOR OF THE 1953
TRUST; ESTATE OF JEFFREY E. EPSTEIN; THE 1953
TRUST, PLAN D, LLC; GREAT ST. JIM LLC;
NAUTILUS, INC.; HYPERION AIR, LLC; POPLAR,
INC., SOUTHERN TRUST COMPANY, INC; AND
JOHN AND JANE DOES,

Defendants.

Case No.: ST-20-CV-14

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

EMERGENCY MOTION FOR ORDER RELEASING FUNDS
FOR ROUTINE ADMINISTRATION OF THE ESTATE

COME NOW the Co-Executors of the Estate of Jeffrey E. Epstein (the "Estate"),
DARREN K. INDYKE AND RICHARD D. KAHN, and hereby move on an emergency basis
for an Order directing the Attorney General to immediately issue a partial release of the Criminal
Activity Lien Notice on the Estate's FirstBank account to allow the Estate to pay its routine
administrative expenses and preserve its assets.

The Government, once again and without justification, is impeding the lawful
administration of the Estate and jeopardizing the value of the Estate's assets by sitting on an

Estate request for a release of funds to pay expenses for three months. The Government refuses even to respond to the Estate's communications on the status of the request, much less offer any justification for the delay. Vendors are now charging the Estate late fees, service providers are refusing to perform work or deliver critical supplies, and legal fees are now six months old.

This bottleneck stems from the Government's issuance of more than sixty (60) invalid and overbroad liens against the Estate and the majority of the Estate's assets in connection with this action under the Criminally Influenced and Corrupt Organizations Act, 14 V.I.C. § 600 *et seq.* ("CICO"). According to the Government, this attempt to usurp the role of the Court in the Probate Division (the "Probate Court") and the Co-Executors' duties to administer the Estate was necessary because the Attorney General purportedly needed to monitor and approve the Estate's expenses. More than two years ago, the Probate Court impressed upon the Government the necessity of the Co-Executors to administer the Estate consistent with their fiduciary duties, which required access to the Estate's bank account. While the Government refused to lift the lien entirely, the Attorney General's Office repeatedly assured both the Probate Court and this Court that it would allow the Co-Executors to continue the routine administration of the Estate and take actions necessary to preserve the value of Estate assets.

Unfortunately, the Government has now violated these express representations and is grinding the administration of the Estate to a halt. To make matters more confounding, this failure arises from inaction — the Government simply refuses to respond to the Co-Executors' requests to release required funds. While the Government previously attempted to justify its attempts to usurp the Probate Court's power and the Co-Executors' duties to administer the Estate by claiming that it needed to monitor and approve the Estate's expenses, no such argument applies here. Instead, the Co-Executors, as they have done for the past 17 months,

provided the Government with the information it requested regarding the administrative expenses for which funds needed to be released in mid-December 2021. The Government asked a few clarification questions regarding the expenses within a week, and the Co-Executors promptly answered those questions. The Government raised no objection to the expenses and has sought no additional information after its initial inquiry. Instead, the Government has simply ignored the Co-Executors' entreaties to grant a partial lien release and watched as the Estate has incurred additional and wholly unnecessary expenses and late fees. Such pure obstructionism cannot be justified under any guise of monitoring the administration of the Estate.

The harm to the Estate from the Government's refusal to abide by its promises is growing daily. The Estate has been unable to pay its bills for months, is incurring late fees on those past due invoices, and faces threats of and actual termination of services at its properties. The Estate will soon be unable to maintain its properties, defend civil litigation or settle pending claims, fulfill regular administrative duties, and pay the remaining fees and costs of the Epstein Victims' Compensation Fund. To avoid this unjustified result, the Court should direct the Attorney General to immediately issue a partial release of the lien on the Estate's bank account so that the Co-Executors may use Estate funds to pay the routine administrative expenses of the Estate and preserve its assets.

Factual Background

A. The Estate

Since the Probate Division's appointment of Messrs. Indyke and Kahn as Co-Executors of the Estate on September 6, 2019, the Co-Executors have administered the Estate in the proceeding entitled *In the Matter of the Estate of Jeffrey E. Epstein*, Probate No. ST-2019-00080 (the "Probate Action").

The Estate is massive, complex and multi-jurisdictional. The Co-Executors have liquidated a multitude of high-value assets, including the \$18.5 million sale of its Florida property, the \$51 million sale of its New York townhouse, and the sales of three aircraft, various artwork, cars, equipment, and many other items located in various jurisdictions both in the United States and abroad. The Co-Executors continue to maintain various assets for sale, including Little St. James, Great Saint James, a ranch in New Mexico and an apartment in Paris. To preserve the value of such assets until sale, the Co-Executors are required to pay staff and vendors to maintain the properties.¹

The Co-Executors must also continue to engage counsel, and incur legal fees, to address the litany of legal issues and challenges associated with such a complex Estate. For example, following Mr. Epstein's death, the Estate was named in a welter of sizeable and complex civil suits, and claimants continue to this day to file suits against the Estate. To date, 64 individual plaintiffs filed 47 lawsuits against the Estate and/or related parties in the United States District Court for the Southern District of New York and in the state courts of New York, Minnesota and Florida, claiming sexual abuse at the hands of Mr. Epstein. Many of these suits sought unliquidated damages and alleged conduct going back to the 1980s. In addition to their defense of these civil suits, the Co-Executors worked extensively to establish a voluntarily administered, independent claims resolution program (the "Epstein Victims' Compensation Program"), which

1. The only reason the Co-Executors have not sold, and thus continue to spend considerable Estate resources to maintain, its two United States Virgin Islands properties—Little St. James and Great Saint James—is that the Government repeatedly refuses to lift its liens on those properties to permit the Co-Executors to sell them. Over the past two years, the Estate's counsel periodically has requested that the Government lift the liens for that purpose, and as part of each request has committed to the Government that any net proceeds would be deposited into an account also subject to the Government's liens to ensure no prejudice to the Government, to no avail. In the past year alone, the Estate has spent over \$750,000.00 to maintain those properties. We expect to file another motion regarding the pendency of these two property liens in the near future.

provided compensation for individual claimants seeking redress for sexual abuse. In November 2019, the Co-Executors sought the Probate Division’s approval for this novel program, the first ever established by an estate; Magistrate Judge Carolyn P. Hermon-Percell granted that approval on June 3, 2020. As a result of the overwhelming success of this program, the vast majority of the litigation against the Estate was initially stayed and ultimately dismissed, and the Estate settled with over 130 claimants under the program. But there are still outstanding claims against the Estate, and the Estate continues to require legal representation for these and other pending matters, including its defense in this case.

B. The Attorney General’s Issuance of the Criminal Activity Lien Notices

In February 2020, after commencing this CICO action, the Government issued liens against dozens of entities, accounts and properties associated with the Estate, including the Estate’s primary bank account at FirstBank, as well as Little St. James and Great Saint James. The liens warn that “[a]ny trustee, executor, person or institution who moves, transfers or conveys title to personal or real property upon which a Criminal Activity Lien Notice has been filed ... shall be liable to the Attorney General in accordance with Title 14 V.I.C. § 610 (1)(1)(2) or (3).”² Since

2. A copy of the lien against the Estate’s account at FirstBank is attached as Exhibit 1. On March 17, 2020, the Co-Executors filed an Expedited Motion to Vacate Liens, arguing that all of the Government’s liens are invalid because, *inter alia*: (i) CICO does not permit liens to be issued against executors of an estate; (ii) the liens were issued to protect assets for forfeiture, even though civil forfeiture is not an available remedy under CICO; (iii) the liens were issued against the entirety of the Estate’s assets, despite the Government’s failure to even attempt to connect all such assets to the alleged wrongdoing, and purport to freeze assets outside the U.S. Virgin Islands, notwithstanding the fact that the Attorney General has no jurisdiction to freeze, seize, or forfeit any such assets; and (iv) under probate law, the Estate’s expenses take priority over the Attorney General’s claims. Also on March 17, 2020, the Co-Executors filed a Motion to Dismiss the Government’s First Amended Complaint (the “Motion to Dismiss”). The Motion to Dismiss argues, *inter alia*, that the First Amended Complaint and the liens interfere with the Estate’s ability to preserve its assets, usurp the authority of the Probate Court, and impede the Co-Executors’ ability to exercise their fiduciary duties and administer the Estate, and must be dismissed for numerous reasons. Both the Motion to Vacate Liens and Motion to Dismiss have been fully briefed and are *sub judice* since July 8, 2020.

the issuance of the liens, the Co-Executors have been unable to pay the expenses or legal fees of the Estate without the Government first issuing a partial lien release for the Estate's bank account.

C. The Attorney General's Representations to the Probate Court

On January 23, 2020, the Government filed a Motion to Intervene in the Probate Action (the "Motion to Intervene"). The Probate Court held a hearing on February 4, 2020 (the "February 4, 2020 Hearing"),³ to address various pending motions and the overall administration of the Estate. The Probate Court, in short order, denied the Government's Motion to Intervene in that proceeding, finding that the Government was not a party in the Probate Action and directing the Government to file a formal claim against the Estate if it wanted to be heard in that proceeding.⁴ Recognizing the liens' potentially disastrous effect if they were to continue to freeze the Estate's funds, the Probate Court ruled that the Co-Executors are required and permitted to pay those costs associated with the administration of the Estate and preservation of its assets, subject to their fiduciary duties and reporting requirements imposed under the Virgin Islands Code (the "Code"). Counsel for the Attorney General expressly acknowledged the Co-Executors' need to pay those

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3. A copy of the Transcript of the February 4, 2020 Hearing is attached hereto as Exhibit 2. The relevant discussion appears at 68:17-69:14, 98:1-16, and 100:8-102:16.
 4. On February 4, 2021, the Government also filed an Emergency Motion to Immediately Freeze All Assets and Cash on Hand (the "Motion to Freeze Assets), arguing that the Probate Court should immediately freeze all of the Estate's assets and cash on hand because the Estate allegedly breached its commitment to fund the Epstein Victims' Compensation Program and the Co-Executors purportedly mismanaged the Estate. The Probate Court struck the Motion to Freeze, finding that the Government was not a party to the probate action and was therefore not permitted to intervene in that proceeding. The Government appealed, and on February 4, 2022, the Honorable Debra S. Watlington issued a Memorandum Opinion and accompanying Order affirming the Probate Court's denial of both the Motion to Intervene and the Motion to Freeze Assets and denying the Government's appeal with prejudice. Memorandum Opinion and Order, *In the Matter of the Estate of Jeffrey E. Epstein*, Case No. ST-2021-RV-00005 (V.I. Super. Ct. Feb. 7. 2022), attached hereto as Exhibit 3. The Government finally filed a formal claim in the Probate Action on February 18, 2022, more than two years after the Probate Court directed the Attorney General to do so.

expenses and to preserve and protect the Estate's assets, and represented that the Attorney General did not intend by the liens to prohibit the Co-Executors from doing so.

Consistent with its representations to the Probate Court, the Government has represented to this Court that it did not intend for this CICO proceeding or the liens to prevent the Co-Executors from paying expenses necessary to administer the Estate or preserve Estate assets. For example, in its Opposition to the Motion to Vacate Liens, the Government claimed that the Co-Executors' argument that the expenses of Estate administration have priority over the liens was not properly before the Court because the Government did not intend to prevent the Estate from making administrative- and preservation-related expenditures. Instead, the Government claimed, it was simply requesting that the Co-Executors provide it with an accounting of the expenses for which the funds are to be used. *See* Government's Opposition to Motion to Vacate Liens, *Virgin Islands v. Indyke*, Case No. ST-20-CV-14 (V.I. Super. Ct. June 11, 2020), at 6-8, 18-19.

Regrettably, notwithstanding the Probate Court's denial of the Government's motion to intervene and the Attorney General's representations at the February 4, 2020 Hearing, the Government refused to lift the liens so that the Estate could continue functioning. Instead, the Government insisted that the Co-Executors submit administration expenses to the Attorney General for approval and payment.

As documented in the Probate Court proceedings, the liens initially ground the Estate to a halt. Basic maintenance bills and employee salary and insurance payments began to bounce, causing immediate harm to the Estate's assets and property in five different jurisdictions. At a subsequent court conference, the Probate Court impressed upon the Attorney General the need to lift the liens to avoid further adverse consequences to the Estate and its assets. In response, the Attorney General released \$5 million from the Estate's operating account, allowing the Co-

Executors only to pay accumulated but unpaid prior expenses of the Estate, plus an amount approximated to cover a single month of the Estate's operating expenses.

Since October 2020, the Estate and the Government established an informal protocol by which the Estate would request periodic lien releases to cover anticipated expenses for the following quarterly period, and legal fees and costs incurred for the two to four-month period prior to the request. On each occasion, the Estate provided to the Government a spreadsheet specifically identifying the expenses, and supporting invoices, as well as high-level descriptions of the legal work underlying the fees of each law firm providing services to the Estate. Until December 2021, the Government responded to the request within weeks, occasionally asking for clarification about the expenses, and the Estate's counsel has always promptly provided substantive responses. On each occasion until the most recent request, the Government ultimately approved the full amount of the lien release request.

D. The Attorney General's Current Refusal to Release Funds

Unfortunately, despite repeated representations to both the Probate Court and this Court, the Attorney General is now failing to abide by her agreement to promptly release funds upon the Co-Executors' request to allow them to administer the Estate and pay critical expenses. The Attorney General's failure is costing the Estate in terms of additional expense and late fees and is resulting in the depreciation of Estate assets.

On December 16, 2021, counsel for the Co-Executors wrote to the Government⁵ requesting a partial lien release on the Estate bank account in the amount of \$1,730,990.10 for

5. Copies of the correspondence between counsel for the Co-Executors and the Attorney General are attached as Exhibit 4 hereto, with redactions to certain portions of the correspondence not relevant to the determination of this motion.

expenses the Co-Executors expected to be incurred during the period January through March 2022, and for legal fees and costs incurred from October through November 2021.⁶ In that correspondence, the Co-Executors' counsel provided high-level descriptions regarding the legal fee requests (to account for the preservation of attorney-client privilege) as well as a spreadsheet of Estate operating expenses and relevant invoices.⁷

The Government wrote back to counsel to the Co-Executors one week later, on December 23, 2021, requesting additional information regarding four issues. Specifically, the Government asked for: (i) an update on the marketing of the New Mexico property for sale; (ii) an update as to the marketing efforts for the sale of certain art being stored; (iii) the location that any excess proceeds from the sale of certain Paris art was to be deposited; and (iv) an update as to the marketing and sale of the Paris property. After the holiday break ended, counsel for the Co-Executors promptly and completely responded to the Government's questions on January 4, 2022. The Government did not seek any additional information over the next two months, but still withheld its consent for a partial lien release.

After not receiving a reply for more than two weeks, counsel for the Co-Executors followed up with the Government on January 21, 2022. The Attorney General again failed to reply to this message.

On January 28, 2022—more than six weeks after counsel for the Co-Executors first requested that the Government release funds for the administration of the Estate and almost four

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6. A good portion of the legal fees incurred during that period was to prepare for and conduct 28 separate mediations with remaining claimants against the Estate, which efforts resulted in settlements with 25 additional claimants.
 7. As per an agreement between the Co-Executors and the Attorney General, the spreadsheet and invoices were provided to the Attorney General as Confidential material pursuant to the Protective Order agreed upon by the parties.

weeks after counsel for the Co-Executors answered the Government's only questions—counsel for the Co-Executors again wrote to the Government to urge action on the lien release request. Later that same day, the Government responded with a one-line email that stated: “We received your request and are reviewing it internally.”

As of February 10, 2022, the Government had not objected to any of the requests, but still had not approved a partial lien release nor offered an explanation for the delay. On that date, counsel for the Co-Executors yet again wrote to the Government, asking for an update on the request and providing additional detail regarding the negative impact that the delay was having on the administration of the Estate. Among other such examples, counsel for the Co-Executors explained that the company responsible for providing propane to heat the Estate's New Mexico property was threatening to stop upcoming deliveries (in the middle of winter) without payment (a threat that has now become reality), and necessary HVAC, critical repairs and maintenance necessary for that property could not be done unless and until the Government released Estate funds. Likewise, the Estate's legal team continued work relating to claims by individuals alleging to have been abused by Jeffrey Epstein, address issues concerning the CICO action, and provide advice regarding Estate-related legal issues, but had not been paid for any legal services provided since September 2021 because of the Government's delay. The Government ignored the message.

On February 18, 2022, counsel for the Co-Executors wrote for a sixth time to the Government asking for the Government's availability for a call concerning the unanswered lien release requests. The Government did not respond in any way to that request.

In total, nearly **three months** have now passed since counsel for the Co-Executors first requested the release of funds necessary to administer the Estate, and more than **five weeks** have

passed since the Government has even responded to or acknowledged receipt of the Estate's follow-up emails on this subject. At no point during the three months since the Estate's request has the Government offered any justification for its failures to approve the request and otherwise respond to the Estate's various communications.

In addition, on February 15, 2022, counsel for the Co-Executors also requested a partial lien release of the Estate's account for payment of the Epstein Victims' Compensation Fund's administrator's December 2021 and January 2022 fees and costs in the total amount of \$50,549.71. The administrator for the Epstein Victims' Compensation Fund has asked on more than one occasion for an update on the payment of its outstanding fees and expenses, but the Estate has been unable to provide a timeline since the Government has refused to engage on the issue of the requested partial lien releases. While the Government has routinely approved within days such requests for funding of the Epstein Victims' Compensation Fund and its expenses in the past, it has failed to respond to this request as well.

Argument

I. Continued Imposition of the Liens is Unjustified and Contrary to the Attorney General's Representations to the Probate and this Court

In support of its many attempts to justify the liens and other attempts to interfere with the administration of the Estate and the Probate Court's power to oversee that administration, the Government has consistently claimed that it simply wanted to review the Estate's expenses before authorizing the release of funds subject to the liens. Indeed, during the February 4, 2020 Hearing, the Probate Court explicitly directed that the Government abide by its representations and that the Estate's administration expenses be paid and the Estate's assets preserved, regardless of the existence of the liens. (February 4, 2020 Hearing Tr., 68:17-69:14). The Attorney

General, through her counsel, expressly acknowledged that those expenses must be paid and the Estate's assets protected. (*Id.* at 69:4-6.)

Notwithstanding these repeated representations to both this Court and the Probate Court, the Attorney General now refuses to even communicate with counsel for the Co-Executors regarding lifting the lien on the Estate's bank account. This inaction is contrary to the Attorney General's repeated representations and utterly unjustified. The Co-Executors provided the Government with details regarding the expenses covered by their requests; they have answered the Government's only questions regarding the expenses; and the Government has offered no objection to any of these expenses for three months. The Attorney General cannot contend that she is somehow protecting the Estate or "ensuring accountable administration" by ignoring the needs of the Estate altogether for three months. And any objection now to the requested expenses would be a post hoc rationalization of the Government's unjustified delay.

The Government's inaction is preventing the Co-Executors from fulfilling their obligations to administer the Estate. The Estate has properties that must be managed, employees who must be paid, and a multitude of tasks to carry out to keep the administration of the Estate moving forward and to preserve the Estate's assets. In particular, vendors are now invoicing the Estate for late fees and threatening to stop services, and critical repairs and maintenance to that property cannot be completed. The Estate's propane provider for the New Mexico property will no longer make deliveries without payment. The lack of propane to heat the property can result in cracked pipes and other damage, all of which will cost additional money to repair, will diminish the value of the Estate, and was entirely avoidable. Likewise, the Estate's legal team cannot be paid for their past legal work, much less their ongoing legal work, such as negotiating, mediating, and litigating numerous filed and pre-suit claims by individuals alleging to have been

abused by Jeffrey Epstein, addressing issues related to this CICO action, providing legal advice necessary to effectuate asset sales, and providing ongoing complex tax advice. Nor can the fees and costs incurred by the administrator of the Epstein Victims' Compensation Fund be paid. The Government is literally turning out the lights on the Estate, which will have a substantial detrimental impact. In short, without access to these funds, the Estate cannot function, the Estate's assets will deteriorate and become less valuable for sale, and the Co-Executors are unable to carry out their fiduciary responsibilities.

II. Neither the Government's Claim nor the Liens Have Priority over the Expenses of Administration of the Estate

Neither the Government's claims nor the liens have priority over expenses of Estate administration. The Code creates an unambiguous preference in favor of payment of expenses of administration. An executor "may retain in his hands *in preference to any claim or charge* against the estate, the amount of his own compensation and the *necessary expenses of administration.*" 15 V.I.C. § 421(c) (emphasis added); *see also* 15 V.I.C. § 568 ("An executor or administrator shall be allowed in the settlement of his account, all necessary expenses incurred in the care, management, and settlement of the estate, including reasonable attorney's fees in any necessary litigation or matter requiring legal advice or counsel.").

While the Government previously argued that priorities set forth in Title 15 of the Code do not apply because the Government does not have a "claim" against the Estate within the meaning of the Code, this argument is no longer applicable in light of the recent submission in the Probate Action of the Government's Claim against the Estate. The Government's Claim is filed pursuant to 15 V.I.C. § 392 and is based expressly on "the allegations found in the Government's Second Amended Complaint" in the CICO action. (Attached hereto as Exhibit 5.) Late-filed contingent claims such as the Government's Claim, if allowed, are subordinate even to

timely-filed claims and are inarguably subordinate to the necessary expenses of administration.

15 V.I.C. §§ 392, 421(c).

Likewise, pursuant to 14 V.I.C. § 610, the liens (assuming, *arguendo*, they were properly issued) have priority only over “the interest of any other person in the personal or real property or beneficial interest in it, if the interest is acquired *subsequent to* the filing of the [Criminal Activity Lien Notices].” 14 V.I.C. § 610(f) (emphasis added). In other words, the liens have priority only over *subsequently acquired* interests. However, the Probate Court’s interest in the *res* precedes the liens. The Court acquired original jurisdiction and custody of the decedent’s property, the *res*, on August 15, 2019, when the Petition for Probate and for Letters Testamentary was filed. The Attorney General issued the liens *more than five (5) months after the Court acquired custody of the decedent’s property*. Accordingly, even if the liens were valid — which they are not — they do not have priority over routine expenses of Estate administration and preservation of the Estate’s assets.

As Judge Watlington stressed in her Opinion affirming the Probate Court’s denial of the Motion to Intervene and Motion to Freeze Assets, “[t]he notorious nature and history of the deceased individual in this probate matter coupled with its main-stream attention, is not an indication that the case should be treated differently from any other probate case.”⁸ As the holder of a late-filed, contingent claim against the Estate, the Government should not be permitted to interfere with the Co-Executors’ necessary administration of the Estate.

8. Exhibit 3 ¶ 19.

III. The Liens Are Invalid

In addition to wrongfully and baselessly preventing the Co-Executors and the Probate Court from discharging their legal duties to preserve and protect the Estate's assets, the liens are also fatally flawed for the reasons set forth in the Co-Executors' Motion to Vacate Liens. *See* Motion to Vacate Liens, *Virgin Islands v. Indyke*, Case No. ST-20-CV-14 (V.I. Super. Ct. June 11, 2020). While the Co-Executors will not restate those arguments here, they urge the Court to consider that motion and vacate the liens for the reasons set forth in that motion so as to avoid repeated danger to the Estate based on the Attorney General's unjustified inaction or the need for further piecemeal, emergency applications such as the present Motion.

IV. The Court Has Authority to Release the Liens

Section 610(u) of CICO authorizes the Court to release or extinguish a Criminal Activity Lien Notice where, as here, a CICO action is pending. Section 610(u) provides:

In the event a civil proceeding is pending against a person named in a Criminal Activity Lien Notice, the Superior Court or United States District Court, upon motion by the person, may grant the relief set forth in this section.

14 V.I.C. § 610(u) (emphasis added). Section 610 contemplates release and extinguishment as forms of relief that the Court "may grant." 14 V.I.C. § 610(t). Accordingly, pursuant to the Co-Executors' present motion, the Court may grant the requested release of the lien on the Estate's FirstBank account.

WHEREFORE, the Co-Executors seek an Order directing the Attorney General to immediately issue a partial release of the Criminal Activity Lien Notice issued by the Attorney General on January 31, 2020 on the Estate's FirstBank account, in the amounts requested by the Estate on December 16, 2021 (for Estate expenses) and February 15, 2022 (for Program

expenses), so that the Co-Executors may use Estate funds to pay the routine administrative expenses of the Estate and preserve its assets.

Respectfully,

Dated: March 4, 2022

/s/ Shari N. D'Andrade

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March 2022, I caused a true and exact copy of the foregoing **Emergency Motion for Order Releasing Funds for Routine Administration of the Estate** to be served via VIJEFS upon:

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Carol Thomas-Jacobs, Esq., Deputy Attorney General
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