

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

MARK J. VARACCHI and SENTINEL
GROWTH FUND MANAGEMENT, LLC,

Defendants

and

RADAR ALTERNATIVE FUND LP and
RADAR ALTERNATIVE MASTER FUND
SPC,

Relief Defendants.

No. 3:17-cv-00155 (VAB)

RULING AND ORDER ON MOTION FOR ATTORNEY FEES

Jed Horwitt, Esq., the Court-appointed Receiver in this action brought by the Securities and Exchange Commission (the "SEC"), filed a Fourth Interim Application for Attorney Fees and Expenses Incurred on Behalf of the Receivership Estate on May 11, 2018. Mot. for Atty. Fees, ECF No. 58. The application covers professional fees and expenses incurred between January 1, 2018, and March 31, 2018. Mot. for Atty. Fees at 3. Mr. Horwitt shared his application with counsel for the SEC, and the SEC stated that it has no objections to the application. *Id.* at 3. No objection has been filed.

In the application, Mr. Horwitt and his counsel, Zeisler & Zeisler, P.C., submitted a summary of professional fees and expenses requested, prepared in accordance with the Billing Instructions for Receivers in Civil Actions Commenced by the SEC and the Receivership Order. The summary stated that the Receiver and his counsel agreed to public service discounts of their typical hourly fees, and that they waived services rendered before appointment. *Id.* at 6. The summary also stated that the Receiver and his counsel spent 691.5 hours working on this matter during the relevant period, and that they seek an award of \$189,431.00 for professional services and \$4,273.47 for reimbursement of expenses.¹ *Id.* at 4. The Receiver and his counsel acknowledged that their fee compensation is subject to a twenty-percent holdback, under SEC Guidelines and the Receivership Order. *Id.*

This Court has reviewed the Application and supporting documentation and concludes that the requested amounts of \$189,431.00 for professional services and \$4,273.47 for reimbursement of expenses are fair and reasonable.

Accordingly, the Receiver's Application, ECF No. 58, is **GRANTED**.

SO ORDERED at Bridgeport, Connecticut, this 21st day of May, 2018.

/s/ Victor A. Bolden
VICTOR A. BOLDEN
UNITED STATES DISTRICT JUDGE

¹ The Receiver also notes that “[d]ue to the tax busy season and the medical issued of the senior partner responsible for this case, the Receiver’s accountant and financial advisor, Verdolino & Lowey, P.C. (‘V&L’) was unable to provide their invoices for the Compensation Period before the deadline for filing this Application,” and will seek approval of their fees and expenses as a part of the next quarter’s application. Mot. for Fees at 3 n.1.