

1 Philip G. May, Esq. (009764)  
2 Devin Sreecharana, Esq. (029057)  
3 Justin R. DePaul, Esq. (031581)  
4 **MAY, POTENZA, BARAN & GILLESPIE, P.C.**  
5 1850 N. Central Ave. Suite 1600  
6 Phoenix, AZ 85004-4633  
7 Telephone: (602) 252-1900  
8 Facsimile: (602) 252-1114  
9 Email: pmay@maypotenza.com  
10 devin@maypotenza.com  
11 jdepaul@maypotenza.com  
12 *Attorneys for Investor Plaintiffs*

13 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
14 **IN AND FOR THE COUNTY OF MARICOPA**

15 GENEX CAPITAL CORPORATION, a  
16 Delaware corporation,

17 Plaintiff,

18 vs.

19 SEELEY CAPITAL MANAGEMENT  
20 INC., a Massachusetts corporation, et al.,

21 Defendants.

22 RICHARD L. KEEFER and VICKI L.  
23 KEEFER, husband and wife, et al.,

24 Plaintiffs,

25 vs.

26 GENEX CAPITAL CORPORATION, a  
27 Delaware corporation, et al.,

28 Defendants.

AND RELATED COUNTERCLAIMS

Case No.: CV2020-004958

Consolidated with Case No.: CV2020-013796  
CV2022-002266

**JOINT NOTICE OF SETTLEMENT**

(Assigned to Hon. Erik Thorson)

Pursuant to Local Rule of Civil Procedure 5.3(d), the Investor Plaintiffs<sup>1</sup>, Genex  
Capital Corporation and Roger Proctor, and the NEAA Parties<sup>2</sup> (collectively, the “Parties”),

<sup>1</sup> “Investor Plaintiffs” collectively refers to Plaintiffs/Counterdefendants Richard L. Keefer and Vicki L. Keefer, HunMi Pak, PANABCO, The Estate of E. Dwayne Walls, Barry Beitman, West Haven Fire Department, Sandi Haskell, and Weili Guo and Qingling Zhang.

<sup>2</sup> “NEAA Parties” collectively refers to Seeley Capital Management, Inc., John M. Bulbrook Insurance Agency Inc., New England Annuity Associates, LLC, Income Stream Funding Partners, LLC, Christopher Seeley, John Bulbrook and Jane Doe Bulbrook.

1 jointly notify the Court that they have reached a confidential, global settlement of all claims,  
2 counterclaims, and defenses asserted between the Parties in this consolidated action. The  
3 Parties anticipate filing a stipulation for dismissal with prejudice within ninety (90) days.  
4 Given the number of parties and complexity of legal issues, the Parties need this time period  
5 to document the settlement agreement and related documents, and to ensure performance of  
6 certain settlement obligations prior to case dismissal. Considering their settlement, the  
7 impending trial management conference and jury trial are no longer necessary.

8 Relatedly, the Parties note that while Defendants Happy State Bank & Trust Company  
9 d/b/a GoldStar Trust Company (“GoldStar”) SuttonPark Capital, LLC (“SuttonPark”) are not  
10 parties to the settlement or signatories to this Notice, there are no triable issues as to either of  
11 them. Further, the Investor Plaintiffs’ Motion for Sanctions against Sutton Park filed on May  
12 14, 2025 remains pending and should not be rendered moot by this Notice.

13 Based on the foregoing, the Parties respectfully request the Court enter the proposed  
14 Order filed with this Notice and vacate: 1) all remaining trial management deadlines set forth  
15 in the Court’s Order entered on May 21, 2025; 2) the Trial Management Conference  
16 scheduled for 1:30 p.m. (PST) on June 2, 2025; and, 3) the jury trial set for June 3-5, 9-12,  
17 and 16-19, 2025.

18 RESPECTFULLY SUBMITTED this 28<sup>th</sup> day of May, 2025.

19 **MAY, POTENZA, BARAN & GILLESPIE, P.C.**

20 By: /s/ Devin Sreecharana  
21 Philip G. May, Esq.  
22 Devin Sreecharana, Esq.  
23 Justin R. DePaul, Esq.  
24 *Attorneys for Investor Plaintiffs*

25 **PAPETTI SAMUELS WEISS MCKIRGAN**

26 By: /s/ Randy Papetti (with permission)  
27 Randy Papetti  
28 Jared Sutton  
*Attorneys for Plaintiff/Defendant/  
Counterclaimant/Counterdefendant Genex  
Capital Corporation and Defendant Roger  
Proctor*

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**GAMMAGE & BURNHAM, P.L.C.**

By: /s/ Richard K. Mahrle (with permission)

Richard K. Mahrle

Evan M. Russell

*Attorneys for Seeley Capital Management,  
Inc., John M. Bulbrook Insurance Agency Inc.,  
New England Annuity Associates, LLC,  
Income Stream Funding Partners, LLC,  
Christopher Seeley, John Bulbrook and  
Jane Doe Bulbrook*

ORIGINAL of the foregoing e-filed with the  
Court on this 28<sup>th</sup> day of May, 2025.

COPY of the foregoing e-served via E-Filing System  
and e-mailed on this 28<sup>th</sup> day of May, 2025:

Randy Papetti

Jared Sutton

Papetti Samuels Weiss McKirgan LLP  
15169 North Scottsdale Road, Suite 205

Scottsdale, AZ 85254

rpapetti@PSWMLaw.com

jsutton@PSWMLaw.com

*Attorneys for Plaintiff/Defendant/Counterclaimant/  
Counterdefendant Genex Capital Corporation and  
Defendant Roger Proctor*

Louis Napoleon Joynes, II (admitted *pro hac vice*)

JOYNES & GAIDIES

502 Viking Drive, Suite 201

Virginia Beach, VA 23452

Telephone: 757-486-3000

maureen@joyneslaw.com

*Attorneys for Plaintiff/Defendant/Counterclaimant/  
Counterdefendant Genex Capital Corporation*

Paul M. Briggs, Esq.

Law Office of Paul M. Briggs, PLLC

80 E. Columbus Ave.

Phoenix, AZ 85012

paul@briggs-law.com

*Attorney for Happy State Bank d/b/a*

*GoldStar Trust Company and GoldStar*

*Trust Company*

1 Richard K. Mahrle, Esq.  
Evan M. Russell, Esq.  
2 Gammage & Burnham, P.L.C.  
3 40 North Central Avenue, 20<sup>th</sup> Floor  
Phoenix, Arizona 85004  
4 rmahrle@gblaw.com  
erussell@gblaw.com  
5 *Attorneys for Seeley Capital Management, Inc.,  
6 John M. Bulbrook Insurance Agency Inc.,  
7 New England Annuity Associates, LLC,  
Income Stream Funding Partners, LLC, Christopher  
8 Seeley, John Bulbrook and Jane Doe Bulbrook*

9 Frederick Love  
10 President and General Counsel  
SuttonPark Capital LLC  
11 2255 Glades Road, Suite 118E  
Boca Raton, FL 33431  
12 flove@experityventures.com

13 Mollie Wander  
14 SuttonPark Capital, LLC  
SuttonPark Capital LLC  
15 2255 Glades Road, Suite 118E  
Boca Raton, FL 33431  
16 mwander@777part.com

17  
18 By: /s/ Renee Gonzales