

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION**

STATE OF FLORIDA,  
OFFICE OF FINANCIAL REGULATION,

Plaintiff,

vs.

Case No.: 14-001695-CI

TRI-MED CORPORATION,  
TRI-MED ASSOCIATES INC.,  
JEREMY ANDERSON,  
ANTHONY N. NICHOLAS, III,  
ERIC AGER, IRWIN AGER,  
TERESA SIMMONS BORDINAT  
a/k/a TERESA SIMMONS,  
and ANTHONY N. NICHOLAS, JR.,

Defendants,

TMFL HOLDINGS, LLC,

Relief Defendant.

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**RECEIVER'S MOTION FOR AUTHORIZATION TO LIQUIDATE ITEMS  
WORTH \$5,000 OR LESS WITHOUT FURTHER COURT ORDER**

Pursuant to Fla. Stats. § 517.191(2), Rule 1.100 of the Florida Rules of Civil Procedure, and the Court's appointing orders, Burton W. Wiand, as Receiver (the "**Receiver**") for Tri-Med Corporation; Tri-Med Associates Inc.; TMFL Holdings, LLC; Interventional Pain Center, PLLC; Rejuva Medical and Wellness Center, L.L.C.; Rejuva Medical Center, L.L.C.; Tri-Med Management, Inc.; JA Management, LLC; and JRAM, LLC (collectively, the "**Receivership Entities**") moves this Court for entry of an order

granting the Receiver's Motion to Liquidate Property Worth \$5,000 or Less Without Further Court Order (the "**Motion**").

Consistent with his status as an arm of the Court, the Receiver has historically moved the Court to approve his disposition of valuable assets like medical equipment and real property. The value of those assets justified seeking the Court's approval on an individual basis in connection with each transaction. At this point in the Receivership, however, the Receiver has sold most of the Receivership Entities' valuable assets, and he is now left with personal property and other items of minimal or even no value. For example, the authorization requested in this Motion will initially and perhaps primarily be used to liquidate the items listed in **Exhibit A**, which are currently being held in a storage unit. To avoid incurring additional storage, marketing, and other costs, the Receiver seeks authorization to sell those and similar items or, if a commercially reasonable sale is not possible, to donate them to an appropriate charity without further order from the Court. The Receiver will continue to seek the Court's approval on an individual basis for the disposition of any asset worth more than \$5,000.

The relief requested in this Motion is well within the Court's equitable authority and has been granted in other state and federal receiverships pending in Florida. *See, e.g., S.E.C. v. Arthur Nadel et al.*, Case No. 8:09-cv-00087-T-26TMB (M.D. Fla.), Order (Doc. 97), granting Receiver's Motion to Liquidate Certain Property (Doc. 94). Additionally, the Florida Office of Financial Regulation has no objection to the relief requested in this Motion.

**CERTIFICATE OF SERVICE**

I hereby certify that on May 16, 2018, I electronically filed the foregoing with the Clerk of the Court by using the Court's e-filing system. I further certify that the foregoing document is being served this day on all counsel of record identified on the attached service list via transmission of Notices of Electronic Filing generated by the e-filing system.

**s/ Jared J. Perez**

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# EXHIBIT A

## **TRI-MED STORAGE INVENTORY**

### **Public Storage in Tampa from the Tri-Med Office**

Older office chairs  
Bookcases  
Desks with returns  
HP Computer monitor  
Small office refrigerator  
Wall clock  
Box of office supplies  
Metal desk file holders  
Wicker trash can  
8 old PC computers without hard-drives from Rejuva

### **Public Storage in Tampa from Tri-Med Storage Unit at Receiver's Appointment**

Punching bag  
Old Nordic-track treadmill  
Thigh shaper  
Flat barbell weights  
Dumbbells  
Row machine  
Fertilizer spreader  
Rubber gym matt Floor pieces  
Miscellaneous gym equipment