

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT OF  
THE STATE OF FLORIDA IN AND FOR MANATEE COUNTY  
CIVIL DIVISION**

FORTRESS 2020 LANDCO, LLC, a Delaware  
limited liability company, as assignee of Regions Bank,  
as successor in interest by merger of AmSouth Bank,

Plaintiff,

vs.

Civil Action No. 2020-CA-004459-AX

HRK HOLDINGS, LLC, a Florida limited liability  
company, ARSENAL GROUP, LLC, a Delaware  
limited liability company, WILLIAM F. HARLEY  
III, FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,  
ARDAMAN & ASSOCIATES, INC., a Florida  
corporation, INTERNATIONAL SALT  
COMPANY, LLC, a Delaware limited liability  
company, MC WEIGHING SYSTEMS, LLC, a  
Florida limited liability company, 9079-8042  
QUEBEC, INC., a foreign corporation,

Defendants.

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**RECEIVER'S FIRST STATUS REPORT AND ACCOUNTING**

**Receivership Information and Activity from August 25, 2021 through October 31, 2021**

**DONICA RECEIVERSHIP SERVICES, LLC**  
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By: /s/ Herbert R. Donica  
Herbert R. Donica, Receiver

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## INTRODUCTION

Herbert R. Donica, the Court-appointed receiver over the assets of HRK Holdings, LLC (the “Receiver” and the “Receivership” or “Receivership Estate”) files this First Status Report for the period of August 25, 2021 through October 31, 2021<sup>1</sup> to inform the Court, creditors, and others interested in this Receivership of activities to date as well as the Receiver’s proposed course of action.

## BACKGROUND

### **I. Procedure and Chronology**

The Piney Point plant (the “Facility” or “Piney Point Site”) is an industrial site in Manatee County, Florida, and the location of a former fertilizer plant. The Facility holds stacks of phosphogypsum, a byproduct of fertilizer production, and pools of polluted water (the “Stack System”). The Stack System holds approximately 480 million gallons of process water. The owner of the Piney Point Site, HRK Holdings, LLC, is believed to be insolvent. In November 2020, FORTRESS 2020 LANDCO, LLC, the mortgage holder, initiated foreclosure proceedings on the site (the “Foreclosure Case”)<sup>2</sup>, seeking to recover portions of the property not directly associated with the Stack System. HRK Holdings, LLC has effectively abandoned the Piney Point Site.

In March 2021, a portion of the Stack System began to fail, prompting evacuations on April 1 followed by the Governor of Florida issuing a state of emergency on April 3. This episode required 221 million gallons of contaminated water to be discharged into Tampa Bay to prevent the reservoir's collapse.

On August 25, 2021, in the Foreclosure Case, the Manatee Circuit Court entered an order (the “Order”) appointing Herbert R. Donica as a Receiver to take control of the Facility and oversee its expeditious closure. Pursuant to the Order, the Receiver is charged with “maintain[ing], manag[ing] and clos[ing] as efficiently and expeditiously as possible the Facility in accordance with all applicable State and Federal laws.” The purpose of the Receivership is to

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<sup>1</sup> The Receiver will submit his next Status Report for the period ended December 31, 2021 and subsequent reports will be filed within thirty days after the end of each calendar quarter.

<sup>2</sup> Fortress 2020 Landco, LLC v. HRK Holdings, Arsenal Group, William Harley, DEP, Ardaman and Associates, et al., Manatee Circuit Court foreclosure; Case No. 2020-CA-4459.

maintain, repair, and close the Stack System so that it is no longer a threat to public safety and the environment.

## **II. The Receivership Process**

In late August 2021, counsel for the Florida Department of Environmental Protection (the “FDEP”) contacted Mr. Donica to determine his willingness to serve as Receiver in this matter. The Receiver informed the FDEP that the Receiver would discount the rates charged to clients in private commercial litigation to conserve resources and preserve the Receivership Estate. All the active parties in the Foreclosure Case entered into a stipulation to appoint a receiver to take control of the property. On August 25, 2020, the Court appointed Mr. Donica as Receiver.

Although the FDEP recommended Mr. Donica’s appointment, the Receiver is an agent of the Court – not an agent or employee of the FDEP. To ensure that the Court is informed of the Receiver’s activities, the Order Appointing Receiver requires the Receiver to file Status Reports.

To ensure the activities of the Receiver and his professionals benefit the Receivership Estate or are otherwise appropriate, the Receiver first reviews all invoices and makes any necessary adjustments. The Receiver is required to submit his applications for the payments of fees and costs first to the FDEP for review and then to the Court for approval. The Receiver is in regular communication with his professionals and interested parties to ensure his activities benefit the Receivership Estate or are otherwise necessary.

The Receiver will engage an engineering firm to design the work to close the Stack System. It is anticipated that the engineering firm will assist the Receiver in the development of one or more bid packages for the construction of the work. The Receiver may employ other construction professionals to assist in managing the project.

When the Receiver determines that the project is complete, he will move the Court to close the Receivership. He will also file a final report and accounting. While the procedures outlined above are generalized and are subject to change as the Receiver learns more about how the project should be completed. The Receiver is hopeful that these procedures and safeguards will allow him to close the Stack System in an efficient and cost-effective manner. Presently, the Receiver expects the project to take about 4 – 5 years to complete.

### **III. Overview of the Receiver's Preliminary Findings**

The Order Appointing Receiver authorizes, empowers, and directs the Receiver to manage and undertake closure of the Facility. The Order Appointing Receiver also directs the Receiver to provide written notice of any actions materially affecting the Facility. The Receiver has formed preliminary conclusions based on his review of the Facility and discussions with service providers. While the Receiver's review is not complete and this report will likely be amended and augmented in the future, the Receiver believes that the matters reported below are supported by the evidence reviewed to date. Below are the Receiver's preliminary determinations and recommendations:

- 1) The Stack System holds approximately 400 million gallons of water in three ponds.
- 2) Before construction can start on the Facility, the Stack System must be drained of the water to permit the placement of equipment and remediation activities.
- 3) The deep injection well proposed by Manatee County is the most expedient method of draining the water in the Stack System. [Note: Several parties have presented alternative solutions to the Receiver but as of this date, none of these proposed solutions would result in drainage of sufficient amount of water to protect the Stack System from overloading in the next rainy season.]
- 4) Prior to the Receiver's appointment, the FDEP engaged an engineering firm, Ardaman and Associates, Inc., to initiate preparation of design drawings and specifications, bid packages, bidding process, proposal review, and contractor selection recommendations. The Receiver is currently negotiating assignment of the FDEP contract as well as confirmation of the description of the assigned tasks.
- 5) Assuming that the Ardaman contract is assigned to the Receiver and the design is approved by the FDEP pursuant to regulations, the Receiver will solicit bids pursuant to appropriate procurement rules for the final construction phase of the project.

### **IV. Funding the Receivership.**

The FDEP has agreed to provide funding to the Receiver to perform his duties under the Order. Accordingly, the FDEP and the Receiver have entered into a Maintenance and Funding Agreement (the "**Agreement**") that outlines the activities to be undertaken by the Receiver and identifies the projects to be managed.

The total anticipated funding of the Agreement is \$81,740,367. The State of Florida's performance and obligation to pay under the Agreement is contingent upon an annual appropriation by the Legislature. The Agreement is not a commitment of future appropriations.

**V. Actions Taken by the Receiver.**

In the first 10 weeks, the Receiver has taken several steps to fulfill his mandates under the Order Appointing Receiver.

**A. Overview of Significant Activities During this Reporting Period**

During the time covered by this First Status Report, the Receiver and his professionals engaged in the following significant activities:

- Worked with FDEP counsel to negotiate terms of the Order of Appointment of Receiver;
- Conducted site visit and prepared an inventory of property;
- Filed an Inventory as required by the Court;
- Filed an Oath of Receiver as required by the Court;
- Participated in telephone and video conferences with media to establish transparency;
- Reviewed Purchase Orders and contracts to determine assignability;
- Conferred with FDEP and site manager regarding transition issues;
- Negotiated Assignment of several Purchase Orders and contracts;
- Set up and organized accounting system;
- Established Receivership bank accounts;
- Recovered \$20,000 from an HRK account at TD Bank and transferred to a Receiver-controlled account at Axos Bank;
- Retained legal counsel and a technology services firm to assist the Receiver;
- Interviewed many individuals, including employees, service providers, engineers, and contractors;
- Transitioned and established payroll accounts;

- Retained the site manager and all on-site employees;
- Performed extensive administrative tasks relative to day-to-day operations;
- Expedited the transfer of utility accounts, day-to-day expenses, and payroll accounts to avoid interruptions of site activities;
- Met with the Secretary of the FDEP and the Department's executive team in connection with formalization of closing strategy;
- Terminated a supply contract saving over \$1 million;
- Met with Manatee County officials in connection with discussions concerning deep injection well and treatment of water in the County's water treatment plant;
- Met with engineering firms and other prospected service providers, reviewed proposals;
- Conducted review of in force insurance policies;
- Reviewed Federal Procurement requirements;
- Employed Special Counsel to assist with compliance with procurement requirements;
- Prepared budget requests for distributions from the Long Term Care Fund;
- Engaged IT professional to conduct security review of digital assets and email accounts;
- Participated in weekly meetings with engineers and service providers;
- Prepared and submitted budget and formal request for third-quarter draw from funds earmarked for closure of the Stack System;
- Directed permanent closure activities to commence on Old Gyp Stack – South;
- Reviewed existing contracts for potential assignment from FDEP;
- Negotiated Maintenance and Funding Agreement with FDEP to facilitate site closure; and
- Continued to run the day-to-day operations of the property including management of six employees, several service providers, and contractors.

**VI. Securing the Receivership Estate.**

The Receiver has taken extensive steps to secure the books and records of the Receivership Entities and to obtain documents from third parties. At the time the Receiver was appointed, there were six employees on site managing the Stack System and related property. The Receiver retained all on site employees to continue to oversee and manage the property. The Receiver is performing accounting activities. The Receiver believes that the current staffing is adequate to support the activities of the Receivership, but additional employees may be needed as construction activities are started.

**VII. Retention of Professionals.**

In the Court's initial Order Appointing Receiver, the Court allowed the Receiver to employ independent legal counsel to furnish legal advice to the Receiver. The Receiver has employed the Donica Law firm, P.A.; the Standley Law Office, P.A.; and Fox Rothschild LLP. The Donica Law Firm and the Standley Law Office will assist in filing routine pleadings. The Fox Rothschild LLP is a law firm with expertise in complex commercial litigation, insolvency matters, regulatory proceedings, construction law, and federal procurement matters. Fox Rothschild will primarily assist the Receiver with respect to procurement and contract issues.

The Receiver is considering whether to employ an independent program manager to coordinate efforts of the various contractors that will be performing construction activities and to provide advise as to logistical issues that will arise.

**VIII. Receiver's Accounting.**

Prior to the appointment of the Receiver on August 25, 2021, HRK Holdings, LLC had a bank account at TD Bank. HRK's TD Bank account was funded by the HRK Long-term Care Fund for the purpose of maintaining site operations. As of August 25, 2021, control of the TD Bank account was transferred to the Receiver. Funds in the TD Bank account were used to partially fund maintenance of continuing operations from August 25 through October 14, 2021. The Receiver established the Receivership bank account (account# 0017) at Axos Bank on August 30, 2021 for deposit and disbursement of funds received from the HRK Long-term Care Fund.

At the time of the Receiver's appointment, the TD Bank account had a balance of \$21,608.91. On August 31, 2021, the HRK Long-term Care Fund provided additional funding



in the amount of \$64,665.20 to fund ongoing operations and payroll while the Receiver was establishing financial arrangements for transitioning responsibility for day-to-day operations. The TD Bank account was used to fund \$48,509.83 of day-to-day maintenance and operations including payroll. On September 13, 2021, \$20,000 was wired from the TD Bank account to the Receiver's Axos Bank account 0017 to fund payroll pending receipt of a distribution from the HRK Long-term Care Fund. As of this date, that TD Bank account has a remaining balance of \$21,406.14 which will be transferred to the Receiver's Axos Bank account 0017. An analysis of the TD Bank account is attached as **Exhibit A**.

The Receiver's Axos Bank account 0017 has been funded as follows:

September 13, 2021- wire transfer from HRK Holdings TD Bank account:	\$20,000.00
September 15, 2021- distribution from the HRK Long-term Care Fund:	\$85,798.07
October 14, 2021 - distribution from the HRK Long-term Care Fund:	\$45,233.96
October 26, 2021 - distribution from the HRK Long-term Care Fund:	<u>\$38,666.51</u>

Total deposits into the Receiver's Axos Bank account 0017: \$189,698.54

The Receiver's Axos Bank account 0017 was used to fund \$125,629.68 of day-to-day maintenance and operations including payroll from September 13, 2021 through October 31, 2021. An analysis of the Axos Bank account 0017 is attached as **Exhibit B-1** and a Summary of Deposits and Disbursements is attached as **Exhibit B-2**.

On October 22, 2021, the Receiver received a draw for the 3<sup>rd</sup> Quarter of 2021 from funds earmarked for closure of the Stack System. This initial draw of \$17,095,067.00 was deposited into a separate account with Axos Bank, account# 0025 and is to be used to fund closure of the Piney Point site. As of October 31, 2021, \$623,808.17 has been disbursed from account 0025 for site maintenance and water management activities. An analysis of the Axos Bank account 0025 is attached as **Exhibit C**.

Funding and disbursements activities for accounts 0017 and 0025 will be accounted for separately. Funds spent for closure of the Stack System (account 0025) are separately reported and are subject to an annual audit by an independent CPA firm. The Receiver's comprehensive accounting incorporating the activity of all accounts is attached hereto as **Exhibit D**.

## **IX. Pending and Contemplated Litigation.**

A. Pending Litigation.

The Receivership is not currently involved in any litigation. At the time that the Receiver was appointed, there were four pending cases involving HRK Holdings, LLC. None of them involve the Receivership but one, the Manatee Circuit Court Foreclosure Case, was the case in which the parties stipulated to the appointment of the Receiver.

The list of cases involving HRK Holdings, LLC are:

- a. Middle District of Florida-Tampa Division; Case No.: 8:21-cv-1521-WFJ-CPT; Center for Biological Diversity v. Gov. DeSantis, DEP, HRK Holdings, and Manatee County Port Authority.
- b. Fortress 2020 Landco, LLC v. HRK Holdings, Arsenal Group, William Harley, DEP, Ardaman and Associates, et al., Manatee Circuit Court foreclosure; Case No. 2020-CA-4459 [informally stayed pending a proposal to permit Fortress to foreclose on selected parcels after an engineering plan is approved that will also determine ingress and egress needs]. I was appointed Receiver in this case on August 25, 2021.
- c. HRK Holdings LLC vs. Ardaman & Associates, Inc. et al., Orange County Circuit Court Case No. 2013-CA-000098A (at least 12 defendants) it is my understanding that this case was settled about two weeks ago; details are not yet available.
- d. Petition for enforcement; DEP v. HRK Holdings. Manatee Circuit Court, Case No. 2021-CA-3192. Filed August 5, 2021 to enforce a consent order and administrative agreement. Also sought the appointment of Receiver which was handled in the foreclosure case 2020-CA-4459 noted above.

B. Contemplated Litigation.

The Receivership is not anticipating any litigation currently.

**X. The Next Ninety Days.**

During the next 90 days, the Receiver will continue to collect and analyze information relating to Stack System Closure. The Receiver will provide a more definitive time estimate as his analysis progresses.

**XI. Conclusion.**

The Receiver has received an enormous number of emails and telephone inquiries and have had to expend significant resources to address them. However, the Receiver continues to encourage individuals or entities who may have information that may be helpful in closing the Stack System to email (**herb@donicalaw.com**).

DATED this 2<sup>nd</sup> day of November 2021.

RESPECTFULLY SUBMITTED,

/s/Herbert R. Donica

Herbert R. Donica, Receiver

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on November 2, 2021, the undersigned counsel has electronically filed the foregoing document with the Clerk of the Court using the Florida Courts E-Portal which will send a notice of electronic filing to all parties on the E-Portal service list:

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By: /s/Herbert R. Donica  
Herbert R. Donica, Esq.  
Florida Bar No. 841870

		Credits - Amounts	Monitoring - Analytical	Process Water Operations	Utilities	Employee Wages	Office Supplies	Maintenance	Office Trailer Rent	Misc.
Bank Balance August 25, 2021		<u>\$21,608.91</u>								
TD BANK DEBIT CARD USE AUGUST 25 - 31, 2021										
Date	Vendor	Debits - Amounts								
8/25/2021	Transfer Debit, Online	5,372.98								5,372.98
8/25/2021	Debit Card Purchase - Benchmark Enviroanalytic	510.00	510.00							
8/25/2021	Debit Card Purchase - Benchmark Enviroanalytic	395.50								
8/25/2021	Debit Card Purchase - Benchmark Enviroanalytic	357.95								
8/25/2021	Debit Card Purchase - Benchmark Enviroanalytic	262.00								
8/25/2021	Debit Card Purchase - Benchmark Enviroanalytic	147.00	147.00							
8/25/2021	Debit Card Purchase - Harrington IND Plastics	32.53						32.53		
8/25/2021	Debit Card Purchase - Palmetto Hardware and MO	29.03						29.03		
8/25/2021	Debit POS - Dollar General	12.84								12.84
8/26/2021	Debit Card Purchase - Gator Pipe and Supply	240.54						240.54		
8/26/2021	Debit Card Purchase - Benchmark Enviroanalytic	147.00	147.00							
8/26/2021	Debit Card Purchase - Triest Palmetto	96.63	96.63							
8/26/2021	Debit Card Purchase - Circle K	80.00								80.00
8/26/2021	Debit POS - Advance Auto	29.02						29.02		
8/27/2021	Debit Card Purchase - Peterson Environmental	84.93	84.93							
8/27/2021	Debit Card Purchase - E-Bay	40.65						40.65		
8/27/2021	Debit POS - Home Depot	28.15						28.15		
8/30/2021	Debit Card Purchase - Benchmark Enviroanalytic	2,372.40	2,372.40							
8/30/2021	Debit Card Purchase - Amazon.com	291.48					291.48			
8/30/2021	Debit Card Purchase - Publix Supermarket	58.59								58.59
8/31/2021	Debit Card Purchase - Northern Tool	444.05						444.05		
8/31/2021	Debit Card Purchase - Benchmark Enviroanalytic	<u>147.00</u>	147.00							
<b>TOTAL</b>		<u>11,180.27</u>								
8/27/2021	Wire transfer Outgoing Instrument Spec.	993.91						993.91		
8/27/2021	Wire transfer fee	30.00								30.00
8/31/2021	Maintenance Fee	10.00								<u>10.00</u>
			<u>4520.41</u>	<u>0</u>	<u>0</u>	<u>291.48</u>	<u>1837.88</u>	<u>0</u>	<u>5,564.41</u>	
8/31/2021	Deposit	<u>64,665.20</u>								
			Bank Balance August 31, 2021							
		12,214.18	86,274.11	<u>74,059.93</u>	74059.93					
			Credits - Amounts							
Bank Balance September 1, 2021			74,059.93							
9/9/2021 ATM Deposit Massapequa NY			<u>3,641.86</u>							
Debits - Amounts										
9/15/2021	Check # 121 Wood Environmental	6,004.00			6,004.00					
TD BANK DEBIT CARD USE SEPTEMBER 1 - 30, 2021										
Date	Vendor	Debits - Amounts								
9/1/2021	Debit Card Purchase Louis Pryor Supply	4,442.78						4,442.78		
9/1/2021	Debit Card Purchase Benchmark Environ	147.00		147.00						
9/2/2021	Debit Card Purchase Indeed	206.39								206.39
9/2/2021	Debit Card Purchase Amazon Mktp	7.48					7.48			
9/3/2021	CCD Debit, National Employee Invoice	12,606.43				12606.43				
9/3/2021	Debit POS Publix	80.55					80.55			
9/7/2021	Debit Card Purchase Home Depot	219.92						219.92		
9/7/2021	CCD Debit, Verizon Wireless Payments	184.03			184.03					

HRK's TD Bank Account 08-25-2021 through 10-14-2021

9/7/2021	Debit Card Purchase A-1 Fingerprinting	57.19							57.19
9/7/2021	Debit Card Payment Fulcrumapp Com	38.00				38.00			
9/8/2021	ACH Debit, FPL Direct Debit	325.10			325.10				
9/8/2021	Debit POS Walmart	40.04				40.04			
9/8/2021	Debit Card Purchase Johnny Nelson Tire	35.58					35.58		
9/9/2021	Debit Card Purchase Sunpass	25.00							25.00
9/10/2021	Debit Card Purchase Benchmark Environ	492.00	492.00						
9/13/2021	ACH Debit, FPL Direct Debit	5,002.18			5,002.18				
9/13/2021	Debit Card Payment Yahoo Small Business	24.98							24.98
9/13/2021	Debit Card Purchase Circle K	19.96					19.96		
9/13/2021	Debit Card Pur Palmetto Auto Warehouse	19.23					19.23		
9/14/2021	Debit Card Purchase Manatee Cnty Utilities	595.02			595.02				
9/14/2021	Debit Card Purchase Tradewinds Power	143.15			143.15				
9/14/2021	Debit Card Purchase Amazon Mktp	140.37				140.37			
9/14/2021	Debit POS Circle K	40.06					40.06		
9/14/2021	ACH Debit, FPL Direct Debit	27.66			27.66				
9/14/2021	Debit Card Payment HP Instant Ink	12.83				12.83			
9/15/2021	Debit Card Purchase Home Depot	118.23					118.23		
9/15/2021	Debit Card Purchase Home Depot	98.99					98.99		
9/16/2021	Debit Card Pur Palmetto Auto Warehouse	142.30					142.30		
9/16/2021	CCD Debit, Fla Dept Revenue	112.00							112.00
9/20/2021	Debit Card Payment Amazon Prime	14.11				14.11			
9/21/2021	Debit Card Purchase Benchmark Environ	367.95	367.95						
9/21/2021	Debit Card Purchase Benchmark Environ	367.95	367.95						
9/21/2021	Debit Card Purchase Benchmark Environ	144.00	144.00						
9/22/2021	Debit Card Purchase Spendwise COM	24.95							24.95
9/24/2021	Debit Card Purchase Fleetwing Corporation	1,949.98					1,949.98		
9/24/2021	Debit Card Purchase Benchmark Environ	166.00	166.00						
9/24/2021	Debit Card Purchase Benchmark Environ	72.00	72.00						
9/24/2021	Debit Card Purchase Benchmark Environ	72.00	72.00						
9/29/2021	Debit Card Purchase Benchmark Environ	<u>246.00</u>	<u>246.00</u>						

**TOTAL** 34,833.39

9/13/2021	Wire Transfer Outgoing HRK Holdings, LLC	20,000.00								
9/13/2021	Wire Transfer Fee	30.00							30.00	
9/30/2021	Maintenance Fee	10.00							10.00	
			<u>2074.9</u>	<u>6,004.00</u>	<u>6277.14</u>	<u>12606.43</u>	<u>333.38</u>	<u>7087.03</u>	<u>0</u>	<u>490.51</u>

Bank  
Balance  
September  
30, 2021

54,873.39    77,701.79    \$ 22,828.40    \$ 22,828.40

Credits -  
Amounts

Bank Balance October 1, 2021	22,828.40	
10/6/2021 FPL Direct Debit Elec	<u>50,871.98</u>	<u>-50,871.98</u>

TD BANK DEBIT CARD USE OCTOBER 1 - 14, 2021

Date	Vendor				
10/4/2021	Visa DDA Pur 469216 Indeed	325.88			325.88
10/4/2021	Visa DDA Pur 401134 Fulcrumapp Com	38.00			38.00
10/5/2021	Direct Debit FPL Direct Debit Elec Pymt	50,871.98		50,871.98	
10/5/2021	Debit Card Visa DDA Pur Benchmark Environ	367.95	367.95		
10/5/2021	Debit Card Visa DDA Pur Benchmark Environ	123.00	123.00		
10/6/2021	Overdraft Ret	35.00			35.00
10/6/2021	Debit Verizon Wireless Payments	133.23		133.23	

**HRK's TD Bank Account 08-25-2021 through 10-14-2021**

10/7/2021 Debit FPL Direct Debit Elec Pymt	342.56			342.56					
10/13/2021 Debit Visa DDA Pur Yahoo Small Business	24.98								24.98
10/13/2021 Direct Debit FPL Direct Debit Elec Pymt	18.83			18.83					
10/14/2021 Debit Visa DDA Pur HP Instant Ink	<u>12.83</u>					12.83			
<b>Totals for 10/1/2021 through 10/14/2021</b>	<b>490.95</b>		<b>0</b>	<b>494.62</b>	<b>0</b>	<b>50.83</b>	<b>0</b>	<b>0</b>	<b>385.86</b>
<b>Totals for 08/25/2021 through 10/14/2021</b>	<b>7086.26</b>		<b>6004</b>	<b>6771.76</b>	<b>12606.43</b>	<b>675.69</b>	<b>8924.91</b>	<b>0</b>	<b>6440.78</b>

Bank  
Balance  
October 14,  
2021

**TOTAL** 52,294.24    73,700.38    \$ 21,406.14    \$ 21,406.14

Beginning Balance 08/25/2021 21,608.91

Deposits:

DEP Funding 08/31/2021 64,665.20  
 ATM 09/09/2021 3,641.86  
 Cash Available 89,915.97

Disbursements:

Monitoring - Analytical -7,086.26  
 Process Water Operations -6,004.00  
 Utilities -6,771.76  
 Employee Wages -12,606.43  
 Office Supplies -675.69  
 Maintenance -8,924.91  
 Misc. -6,440.78

Total Disbursements for Operations 08/25 - 10/14/2021 -48,509.83

Transfer to Receiver's Account 09/13/2021 -20,000.00

Total Disbursements -68,509.83

Balance of Funds in TD Bank - subject to transfer \$21,406.14

Receiver's Axos Bank Account 0017 09/13/2021 THROUGH 10/31/2021 - CHECK REGISTER AND ALLOCATION OF DISBURSEMENTS

Date	Description	Serial #	Payee	Cleared Date	Receipt	Disbursement	Balance	Process Water Operations	Utilities	Employee Wages	Office Supplies	Maintenance	Office Trailer Rent	Misc.
							0.00							
09/13/21	test debit		National Employee - test	09/13/21	0.00	0.32				0.32				
09/13/21			HRK Holdings, LLC	09/13/21	20,000.00	0.00								
09/13/21	test debit		National Employer test	09/13/21	0.00	0.68				0.68				
09/15/21	test credit		National Employer test	09/15/21	1.00	0.00				-1.00				
09/17/21			National Employer	09/17/21	0.00	13,501.61				13,501.61				
09/20/21		1	State of Florida - Dept of Financial S	09/20/21	85,798.07	0.00								
09/28/21			National Employer	09/28/21	0.00	1.50				1.50				
09/29/21	Invoice #21061349; Invoice #21070088	1003	Benchmark EnviroAnalytical, Inc.	10/27/21	0.00	6,689.10	6,689.10							
09/29/21	Invoice #INV-1287	1002	NeoCloud Consulting LLC	10/07/21	0.00	1,500.00								1,500.00
09/29/21	Account number: 223842 - 60006	1001	Manatee County's Utilities Departm	10/06/21	0.00	434.96			434.96					
10/01/21	payroll		National Employee	10/01/21	0.00	13,455.90				13,455.90				
10/08/21	Debit Card Transaction - 5541 Gasoline Service Stations		Circle K	10/08/21	0.00	14.00						14.00		
10/08/21	Debit Card Transaction - 5561 Recreational Vehicle Dealers		Thor Products	10/08/21	0.00	22.46						22.46		
10/08/21	Debit Card Transaction		Thompsons Auto Parts	10/08/21	0.00	124.06						124.06		
10/12/21	Debit Card Transaction - 5411 Grocery Stores		Winn Dixie #2444	10/12/21	0.00	40.83					40.83			
10/15/21	Invoice		National Employee Company	10/15/21	0.00	16,773.12				16,773.12				
10/15/21			Chesapeake Containment Systems	10/15/21	0.00	44,780.00						44,780.00		
10/15/21	Debit Card Transaction - Reoccurring Transaction		Bradenton Harold Digit	10/15/21	0.00	0.99						0.99		
10/18/21		2	State of Florida - Dept of Financial S	10/18/21	45,233.96	0.00								
10/18/21	Debit Card Transaction		AutoZone #6724	10/18/21	0.00	34.15						34.15		
10/18/21	Debit Card Transaction - 5541 Gasoline Service Stations		Circle K #05097	10/18/21	0.00	14.00						14.00		
10/18/21	Debit Card Transaction		Council Oxford	10/18/21	0.00	1,058.34								1,058.34
10/19/21	Recurring Debit Card		Amazon Prime	10/19/21	0.00	13.05					13.05			
10/19/21	Debit Card Transaction - (dbt crd 1114)		Thompson Tractor Company	10/19/21	0.00	853.97						853.97		
10/19/21	Debit Card Transaction - (dbt crd 1725)		The Home Depot #6951	10/19/21	0.00	529.94						529.94		
10/19/21	Debit Card Transaction - C#3519 (dbt card 1551)		Amazon.com	10/19/21	0.00	173.33					173.33			
10/19/21	Debit Card Transaction - C#3519 (debit card 0858)		A-1 Fingerpringing	10/19/21	0.00	57.19								57.19
10/19/21	Debit Card Transaction - Amazon.com/bill WA C#3519 (dbt cr		Amazon	10/19/21	0.00	31.12					31.12			
10/20/21	Debit Card Transaction - (dbt crd 1044)		PRM Filtration	10/20/21	0.00	480.59						480.59		
10/20/21	Wire Transfer		Horne & Willis, Inc.	10/20/21	0.00	5,035.50						5,035.50		
10/21/21	Debit Card Transaction - (dbt crd 0649)		Thompson Tractor Company	10/21/21	0.00	39.51						39.51		
10/21/21	Debit Card Transaction - (dbt crd 1000)		The Home Depot	10/21/21	0.00	239.60						239.60		
10/21/21	Debit Card Transaction - (dbt card 1309)		Triest Palmetto	10/21/21	0.00	217.64						217.64		
10/22/21	Debit Card Transaction		WWW.SPENDWISE.COM	10/22/21	0.00	24.95								24.95
10/22/21	Debit Card Transaction		AVANTI COMPANY	10/22/21	0.00	966.00						966.00		
10/22/21	Debit Card Transaction		TEQUIPMENT	10/22/21	0.00	510.79						510.79		
10/25/21	Debit Card Transaction		CIRCLE K # 05097	10/25/21	0.00	76.00						76.00		
10/25/21	Debit Card Transaction		TWC- H814	10/25/21	0.00	144.77								144.77
10/25/21	Debit Card Transaction		STAPLES 00102103	10/25/21	0.00	159.80					159.80			
10/25/21	Debit Card Transaction		PALMETTO AUTO WAREHOUSE	10/25/21	0.00	186.81						186.81		
10/27/21	Debit Card Transaction - (dbt crd 1534)		J&D Welding	10/27/21	0.00	150.00						150.00		
10/27/21	Debit Card Transaction - (dbt crd 1000)		Plubix #1666	10/27/21	0.00	43.81					43.81			
10/27/21	Debit Card Transaction - (dbt crd 0916)		Office Dynamics	10/27/21	0.00	126.85					126.85			
10/28/21	Debit Card Transaction		THE HOME DEPOT #6951	10/28/21	0.00	48.27						48.27		
10/28/21	Debit Card Transaction		AT&T UB CFM PHX	10/28/21	0.00	1,000.00			1,000.00					
10/28/21	payroll		National Employee	10/28/21	0.00	16,074.17				16,074.17				
			THE HOME DEPOT #6951	10/29/21	0.00	200.53						200.53		
			AT&T UB CFM PHX	10/29/21	0.00	188.70			188.70					
			THE HOME DEPOT #6951	10/29/21	0.00	48.48						48.48		
			National Employee	10/29/21	0.00	52.29				52.29				
		3	Arthur J Gallagher Risk Managemer	10/29/21	189.00									
		4	State of Florida - Dept of Financial S	10/29/21	38,666.51									
					<u>189,888.54</u>	<u>126,119.68</u>								
						<u>63,768.86</u>		<u>6,689.10</u>	<u>1,623.66</u>	<u>59,858.59</u>	<u>588.79</u>	<u>54,573.29</u>	<u>0.00</u>	<u>2,785.25</u>

**DEPOSITS AND DISBURSEMENTS**

Beginning Balance 09/13/2021		\$0.00
Deposits:		
HRK Holdings, LLC (TD Bank)	9/13/2021	20,000.00
National Employer refund [\$1.00 included in wages]	9/15/2021	0.00
State of Florida - Dept of Financial Services	09/20/2021	85,798.07
State of Florida - Dept of Financial Services	10/18/2021	45,233.96
Arthur J Gallagher Risk Management Service	10/29/2021	189.00
State of Florida - Dept of Financial Services	10/29/2021	<u>38,666.51</u>
Cash Available:		<u>\$189,887.54</u>
Disbursements:		
Process Water Operations		-6,689.10
Utilities		-1,623.66
Employee Wages		-59,858.59
Office Supplies		-588.79
Maintenance		-54,573.29
Office Trailer Rent		0.00
Misc.		<u>-2,785.25</u>
Total Disbursements for Operations 08/25 - 10/14/2021		<u>-\$126,118.68</u>
Balance of Funds in Axos Bank 0017		<u>\$63,768.86</u>



**Receiver's Axos Bank account 0025 10/21/2021 THROUGH 10/31/2021**

Description	Serial #	Payee	Cleared Date	Receipt	Disbursement	Balance	Process Water Operations	Utilities	Employee Wages	Office Supplies	Maintenance	Office Trailer Rent	Misc.
3rd Qtr Funding	1001	State of Florida - Dept of Financial Services	10/21/21	\$17,095,067.00	\$0.00	\$17,095,067.00							
Pay Vendor		Allied Universal Corporation	10/22/21	\$0.00	\$18,776.23	\$17,076,290.77					\$18,776.23		
Pay Vendor		Phosphorus Free Water Solutions	10/27/21	\$0.00	\$585,027.80	\$16,491,262.97					\$585,027.80		
Pay Vendor		Allied Universal Corporation	10/27/21	\$0.00	\$20,004.14	\$16,471,258.83					\$20,004.14		
Total Disbursements:					<u>\$623,808.17</u>						<u>\$623,808.17</u>		

HRK TD Bank		Receiver's Axos Bank Account 0017		Receiver's Axos Bank Account 0025	
Beginning Balance 08/25/2021	\$21,608.91	Beginning Balance 09/13/2021	0.00	Beginning Balance 10/21/2021	\$0.00
Deposits:		Deposits:		Deposits:	
DEP Funding 08/31/2021	64,665.20	HRK Holdings, LLC (TD Bank)	9/13/2021	20,000.00	
ATM 09/09/2021	<u>3,641.86</u>	National Employer refund	9/15/2021	0.00	State of Florida - Dept of Financial Services
		State of Florida - Dept of Financial Services	09/20/2021	85,798.07	10/21/21
		State of Florida - Dept of Financial Services	10/18/2021	45,233.96	17,095,067.00
		Arthur J Gallagher Risk Management Service	10/29/2021	189.00	
		State of Florida - Dept of Financial Services	10/29/2021	<u>38,666.51</u>	
Cash Available	<u>89,915.97</u>	Cash Available	189,887.54	Cash Available	<u>17,095,067.00</u>
Disbursements:		Disbursements:		Disbursements:	
Monitoring - Analytical	-7,086.26	Monitoring - Analytical	0	Monitoring - Analytical	
Process Water Operations	-6,004.00	Process Water Operations	-6,689.10	Process Water Operations	-623,808.17
Utilities	-6,771.76	Utilities	-1,623.66	Utilities	
Employee Wages	-12,606.43	Employee Wages	-59,858.59	Employee Wages	
Office Supplies	-675.69	Office Supplies	-588.79	Office Supplies	
Maintenance	-8,924.91	Maintenance	-54,573.29	Maintenance	
Office Trailer Rent		Office Trailer Rent	0.00	Office Trailer Rent	
Misc.	<u>-6,440.78</u>	Misc.	<u>-2,785.25</u>	Misc.	
Total Disbursements for Operations 08/25 - 10/14/2021	<u>-48,509.83</u>	Total Disbursements for Operations 09/13 - 10/31/2021	<u>-126,118.68</u>	Total Disbursements for Operations 10/21 - 10/31/2021	<u>-623,808.17</u>
Transfer to Receiver's Account 09/13/2021	-20,000.00				
Total Disbursements	-68,509.83	Total Disbursements	-126,118.68	Total Disbursements	-623,808.17
Balance of Funds in TD Bank - subject to transfer	<u>\$21,406.14</u>	Balance of Funds in Axos Bank Account 0017	<u>\$63,768.86</u>	Balance of Funds in Axos Bank Account 0025	<u>\$16,471,258.83</u>
				TOTAL FUNDS ON HAND 10/31/2021:	<u>\$16,556,433.83</u>