

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

CASE NO. 04-60573-CIV-MORENO/STRAUSS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MUTUAL BENEFITS CORP., *et al*,

Defendants.

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**TRUSTEE’S NOTICE OF FILING REGARDING  
RESCHEDULING OF AUCTION AND REQUEST TO SCHEDULE  
SALE APPROVAL HEARING**

Barry Mukamal, as Trustee (“Trustee”) of the Mutual Benefits Keep Policy Trust (“Trust”), in accordance with the Court’s *Order Adopting Magistrate Judge’s Report and Recommendation and Granting Trustee’s Motion to Approve Procedures for Sale of Policies in Connection with Trust Termination* (“Sale Procedures Order”) (DE#3142), and the Court’s *Order Granting Trustee’s Expedited Motion to Vacate Order Granting Acheron Capital, Ltd.’s Expedited Motion to Stay Pending Appeal* (ECF#3168), gives notice of the rescheduling of the auction for Tranche “A,” “A-1,” and “B” of the Trust’s Policies, and requests that the Court reschedule a hearing on the Motion for Entry of Sale Approval Order contemplated by the Sale Procedures Order for the first available date after the **December 8, 2022** auction.

The rescheduled dates for the auction and related deadlines – notice of which has already been provided to potential bidders, including all parties who previously expressed an interest in participating in the auction – shall be as follows:

<b>DATE</b>	<b>EVENT</b>	<b>DESCRIPTION</b>
December 1, 2022 at 5:00 p.m. ET	Due Diligence Completion	All due diligence with respect to the Policies must be completed.
December 2, 2022 at 5:00 p.m. ET	Bidder Qualification Deadline	Date by which a potential bidder must provide all materials to qualify as a Bidder.
December 5, 2022 at 12:00 p.m. ET	Trustee Selection of Preliminary Successful Bids	Trustee shall determine and inform each Qualified Bidder that they have submitted a Qualified Bid and identify Preliminary Successful Bids
December 8, 2022 at 10:00 a.m. ET	Auction Date	Date of the Auction for Tranche “A”, Tranche “A-1,” and Tranche “B”.
December 9, 2022	Report of Auction and Motion for Sale Approval Order	Trustee will file report identifying the Final Successful Bids and requesting entry of the Sale Approval Order.

The Trustee, in accordance with the Sale Procedures Order’s direction that “Upon the submission of the Notice of Filing, Magistrate Judge Strauss will schedule a hearing for the first available date after the scheduled date of the auction, for consideration of the Motion for Entry of Sale Approval Order to be filed ...”, requests that the Court schedule such hearing for the first available date after December 9, 2022.

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served on November 10, 2022 on counsel for all the parties by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/ David L. Rosendorf  
David L. Rosendorf