

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

COMMODITY FUTURES TRADING  
COMMISSION,

**Plaintiff,**

v.

FIRST STATE DEPOSITORY COMPANY,  
LLC, ARGENT ASSET GROUP, LLC, AND  
ROBERT LEROY HIGGINS,

**Defendants.**

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CASE NO.: 1:22-cv-01266-RGA

**THE RECEIVER’S FOURTH STATUS REPORT**

Kelly M. Crawford, as the court-appointed Receiver (“Receiver”), submits the following Fourth Status Report pursuant to this Court’s *Order Granting Plaintiff’s Motion for an Ex Parte Statutory Restraining Order, Appointment of a Temporary Receiver, and Other Equitable Relief* [Docket No. 12] (the “SRO”).<sup>1</sup> The Receiver’s Initial Status Report, filed on November 29, 2022, covered the first 60 days of the receivership [D.I. 44]. The Receiver’s Second Status Report covered the two month period from November 30, 2022 through January 31, 2023 [D.I. 93]. The Receiver’s Third Status Report covered the period from February 1, 2023 through May 31, 2023 [D.I. 119]. This Fourth Status Report covers the period from June 1, 2023 through June 10, 2023.

1. On June 5, 2023, the Receiver’s Revised Claims Report was filed with the Court [D.I. 120], identifying more than \$78 million in precious metals and currency missing from the vaults of the First State Depository Company, LLC (“FSD”).

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<sup>1</sup> The SRO was continued in force by an *Order of Preliminary Injunction, Appointment Of A Receiver And For Other Equitable Relief Against Defendants* entered by the Court on December 2, 2022 [D.I. 57]. The Receiver requests the Court to take judicial notice of the pleadings on file in this lawsuit.

2. The question that haunts this receivership is where is the \$78 million in missing precious metals and currency?

3. On May 11, 2023, the Court entered an order under seal<sup>2</sup> authorizing the Receiver to temporarily seize the phone of Defendant Robert Higgins, and to use high powered metal detectors to search Higgins' home for assets. [D.I. 116].

4. Unable to secure the assistance of U.S. Marshals to search Higgins' home for assets, on June 6, 2023, the Receiver requested the Court to allow the Receiver to use a Sheriff, Constable, or local police as alternative law enforcement to assist the Receiver. [D.I. 121]. That same day, the Court granted the Receiver's motion [D.I. 122].

5. On June 9, 2023, with the assistance of a Constable, the Receiver and his team searched Higgins' house. Higgins was not home at the time. Higgins' wife and daughter were at the house. The Receiver's team included two private investigators, two metal detector technicians, and an accountant. The Receiver's team discovered 27 one ounce gold coins, and 34 quarter ounce gold coins hidden in the ceiling of Higgins' basement. The estimated value of the hidden gold coins (35.5 ounces) is approximately \$74,550. In addition, the Receiver's team discovered foreign coins, currency, and rare coins hidden underneath a cushion of a love seat in Higgins' bedroom, or in the dresser of Higgins' bedroom. Photographs of the precious metals, foreign currency, and rare coins discovered in the search of Higgins' home are attached hereto as **Exhibit A**.

6. The Receiver reported the results of his search of Higgins' house to law enforcement personnel, and on Saturday morning, June 10, 2023, Higgins was arrested and taken into custody by federal authorities.

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<sup>2</sup> Since the Order was effectuated, the seal terminated and is no longer necessary.

7. During the search of Higgins' house, the Receiver discovered evidence that Higgins has been selling precious metals and rare coins since the receivership was established. The Receiver is committed to continuing his search for the missing assets.

Respectfully submitted on June 12, 2023

ASHBY & GEDDES, P.A.

/s/ Ricardo Palacio

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