

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MALIBU MEDIA, LLC,)	
)	
Plaintiff-Judgment Debtor/)	
Citation Respondent,)	
)	
v.)	
)	
WILLIAM MULLINS,)	No. 18 C 6447
)	
Defendant-Judgment Creditor,)	Judge Thomas M. Durkin
and)	
)	
COLETTE PELISSIER,)	
)	
Third-party representative of)	
the corporate citation respondent.)	

MOTION FOR TURNOVER ORDER¹

William Mullins, through the Peacock Law Group, moves this court for a turnover order directed to Epoch.com, LLC for \$32,094.82. Epoch is restraining “X-Art.com Proceeds” under the court’s August 12, 2021, asset restraining order. Dkt. 117. Epoch is restraining X-Art.com Proceeds to secure the payment of the original

¹ This motion does not raise a contested matter. Mullins provided Epoch a draft of the motion and proposed order and its counsel advised that Epoch has no objection as to the form of the proposed turnover order. Malibu Media, Colette Pelissier, and ZO Digital are being given notice of this motion via the email addresses they have employed to petition the court. Malibu Media and ZO Digital have been defaulted for failing to secure an attorney to file an appearance and represent those limited liability companies. Pelissier has not formally and individually filed an appearance or directed the court to a street address or email address with which to provide her with notice. Besides being the owner of Malibu Media, Pelissier has no known individual claim or interest in the funds subject to this turnover motion.

judgment of \$48,656.73 (Dkt. 104) and the amended judgment of \$59,614.52. Dkt. 145. The combined judgment amount is **\$108,271.25**. Epoch has complied with the court's October 12, 2021, turnover order (Dkt 133), tendering \$35,194.40 (for receipts through October 7, 2021) towards the satisfaction of the original judgment amount. Under the October 12, 2012, turnover order, Epoch was obliged to report weekly to Mullins on the funds it has restrained. Dkt 133 at ¶ 7. Epoch reports to undersigned counsel that as of December 2, 2021, it is restraining an additional \$32,094.82. which would bring Mullins overall recovery to **\$67,289.22**.

Epoch should issue payment to: "The Peacock Law Group Client Trust Fund Account" and tender such payment in the manner set forth in paragraph I of the court's Asset Restraining Order. As provided in the law and as stated in the asset restraining order (Dkt 117), the injunctions of the court's Asset Restraining Order remain in effect; those injunctions are only modified as specifically provided by the October 12, 2021, turnover order (Dkt. 133), and otherwise those injunctions should remain in full force until vacated.

Finally, The Asset Restraining Order requires all Enjoined Parties, including Epoch, "to preserve X-art.com Proceeds up to twice the amount of the unpaid judgment." Dkt. 117 at ¶ A. At the time, that "ceiling" amount was initially \$97,312.46, which predictably will be exceeded soon and there is no reserve for any further costs Mullins might incur. Therefore, once Epoch tenders the \$32,094.82 payment, the twice-the-judgment-amount "ceiling" on restraint should be restated to be **\$81,964.06**, beginning with funds Epoch restrains on December 3, 2021, and

thereafter. That new ceiling is arrived at by subtracting the recovered amount (about \$67,289.22) from the combined judgment amount (\$108,271.25) and then doubling that result.

WHEREFORE, Mullins requests that this court direct Epoch to turn over to Mullins \$32,094.82 towards the satisfaction of the original and amended judgment amounts with all ordered injunctions remaining unchanged except for the requested adjustment of the ceiling on restraints to \$67,289.22 going forward.

Respectfully submitted,

WILLIAM MULLINS
THE PEACOCK LAW GROUP

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