

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

In re Receiver for Scott A. Kohn, Future )  
Income Payments, LLC, Joseph P. Hipp, ) Civil Action No. 6:19-cv-01112-BHH  
Kraig S. Aiken, and David N. Kenneally, )  
)

**ORDER TO SHOW CAUSE**

This matter is before the Court on a Petition for a Rule to Show Cause (“Petition”) filed by the Receiver, through his counsel, on September 13, 2019 (ECF No. 10.). The Receiver requested in the Petition that David Valencia (“Valencia”) respond to and engage in discovery related to his receipt of funds that are attributable to the illegal Ponzi scheme perpetrated by Scott A. Kohn (“Kohn”), Future Income Payments, LLC (“FIP”) and others. *See United States v. Kohn, et al*, 6:19-239. Further, the Receiver has been unable to locate any legal writings, contracts or other binding written instruments that establish the legitimacy of Valencia’s receipt and possession of approximately \$1.2M.

THEREFORE, pursuant to the Receiver’s Petition and for good cause shown, it is ORDERED that on or before October 15, 2019, Valencia shall provide this Court all written documentation or evidence as to why he should not be required to respond to and engage in discovery with the Receiver regarding the approximately \$1.2M in ill-gotten money he allegedly received from a fraudulent investment scheme orchestrated and carried out by Kohn, FIP and others. In the alternative, if Valencia does not dispute that the above-mentioned funds should be returned to the Receiver, Valencia may return said funds in lieu of demonstrating cause.

**VALENCIA IS CAUTIONED THAT FAILURE TO COMPLY WITH THE  
WITHIN ORDER COULD RESULT IN THIS COURT GRANTING THE RELIEF  
SOUGHT HEREIN AND COULD FURTHER SUBJECT HIM TO PENALTIES FOR  
CONTEMPT.**

**IT IS SO ORDERED.**

The Receiver is directed to serve the within Order on Valencia, and to file proof of service with the Court.

**Bruce Howe Hendricks**  
Bruce Howe Hendricks  
United States District Judge

October 2, 2019  
Greenville, South Carolina