

FEB - 3 2023

RICK WARREN
COURT CLERK

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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

Oklahoma Department of Securities)
ex rel. Melanie Hall, Administrator,)
)
Plaintiff,)
)
v.)
)
Premier Global Corporation et al.,)
)
Defendants.)

Case No. CJ-2022-5066
Judge Don Andrews

SUPPLEMENTAL DISCLOSURES OF
ERIC L. JOHNSON, RECEIVER

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

Before me, the undersigned authority, personally appeared Eric L. Johnson, who, being by me duly sworn, states as follows:

1. My name is Eric L. Johnson. I am over the age of 18, of sound mind and capable of making this affidavit, and personally acquainted with the facts herein stated. I am a partner with the law firm Spencer Fane LLP ("Spencer Fane"), which maintains offices, among other locations, at 6201 College Boulevard, Suite 500, Overland Park, Kansas; 9400 North Broadway Extension, Suite 600, Oklahoma City, Oklahoma 73114; and 1000 Walnut Street, Suite 1400 Kansas City, Missouri 64106.

2. I am the duly appointed receiver in the following cases:

- a. Oklahoma Department of Securities ex rel. Melanie Hall, Administrator v. Premier Global Corporation, et al., Case No. CJ-2022-5066 pending before the District Court of Oklahoma County, State of Oklahoma (the "Oklahoma Action");
- b. Office of the Kansas Securities Commissioner, ex rel. Daniel J. Klucas, Securities Commissioner v. Premier Global Corporation, et al., Case No. 2022-CV-002052-OT pending in the District Court of Sedgwick County, Kansas (the "Kansas Action"); and
- c. Eric L. Johnson, in his capacity as Receiver for the District Court of Oklahoma County, State of Oklahoma, v. Premier Global Corporation, et al., Case No. A-22-861450-B pending in the District Court of Clark County, Nevada (the "Nevada Action" and collectively with the Kansas Action and the Oklahoma Action the "Premier Global Corporation Receivership Actions").

3. I am a licensed member of the Kansas and Missouri State and Federal bars. In addition to my appointment in the Premier Global Corporation Receivership Actions, I serve as a chapter 7 bankruptcy trustee in the Western District of Missouri, under the oversight of the United States Trustee, a division of the Department of Justice, and have served as chapter 11 trustee and as a federal equity receiver in other matters. A true and correct copy of my resume is attached hereto and incorporated herein by this reference as **Exhibit 1**.

4. Neither I, nor Spencer Fane, are parties to the action, a parent, grandparent, grandchild, sibling, director, officer, agent, attorney, employee, secured or unsecured creditor or lienor of, or holder of any equity interest in, or controls or is controlled by any party or party in interest, or is an agent, affiliate, or attorney of the forgoing.

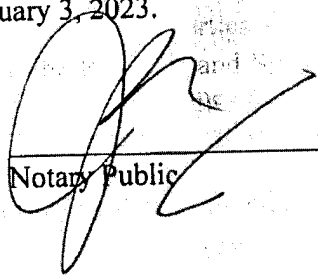
5. To the best of the Receiver's knowledge, the Receiver and Spencer Fane have no material connections with Receivership Entities or the named parties to this case except as set forth in **Schedule A**. To the extent that the Receiver and Spencer Fane determine, in consultation with the plaintiff state agencies, that any representation of the Receiver in the captioned case against those persons or entities listed on **Schedule A** conflicts with the Receiver's duties and/or Spencer

Fane's representation of those persons or entities, the Receiver and Spencer Fane shall perform such acts as may be necessary and appropriate including, without limitation, seeking the appointment of a special receiver to handle such matters that a potential conflict of interest may exist.

Further Affiant Sayeth Not.


Eric L. Johnson

Subscribed and sworn to before me February 3, 2023.


Notary Public

My Commission Expires:

JULIE BAVUSO
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned for Jackson County
My Commission Expires: Oct. 26, 2025
ID. #12519866

Schedule A – Material Connections

1. Spencer Fane represented a former non-defendant employee of Premier Global – a clerk who conducted data entry – in connection with a deposition subpoena from the State of Kansas. The deposition has been completed. Spencer Fane does not believe that the individual will require further substantive representation.
2. Kyle Klucas, a Spencer Fane associate, is the son of Daniel Klucas, Kansas Securities Commissioner. Associate Klucas is not and will not be working on this matter for Spencer Fane.
3. Spencer Fane represents and/or has represented non-defendant Carson Bank, which was a financial institution that had a business relationship with one or more of the Receivership Entities, on matters unrelated to the Receivership Entities and this case.
4. Spencer Fane represents and/or has represented non-defendant Simmons Bank, which was a financial institution had a business relationship with one or more of the Receivership Entities, on matters unrelated to the Receivership Entities in this case. Additionally, the Receiver has a personal friendship with at least one Kansas City based officer of Simmons Bank.
5. Spencer Fane, its partners and associates, and attorneys who are of counsel to Spencer Fane may have in the past represented, may currently represent and may in the future represent entities that may be vendors and/or creditors of the Receivership Entities. Spencer Fane, which employs approximately 400 attorneys, has a large and diversified legal practice that encompasses the representation of many financial institutions and commercial companies, some of which are, or may consider themselves to be, vendors or creditors, of the Receivership Entities. Spencer Fane does not, and will not, represent any of the aforementioned vendors/creditors, or any of their respective affiliates or subsidiaries, in matters related to the receivership estates. Further, to the extent a conflict arises, the Receiver will, in consultation with the state agencies, perform such acts as may be necessary and appropriate including, without limitation, referral of such matters to a special receiver.



SpencerFane

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• Kansas City

BIOGRAPHY

Eric Johnson is a partner at Spencer Fane and is the co-practice group leader for the Banking and Financial Services Group and practice group leader for the Bankruptcy, Restructuring, and Creditors' Rights Group.

Eric represents clients in bankruptcy, non-bankruptcy insolvency proceedings, such as receiverships and foreclosure proceedings, out of court workouts and restructurings, and other related insolvency matters. As an experienced litigator, he also represents clients in complex insolvency related litigation, including bankruptcy avoidance actions and other adversary proceedings and contested matters. Eric also is a member of the panel of Chapter 7 trustees for the Western District of Missouri and is currently serving as a federal equity receiver.

With a strong commitment to the bar and legal education, Eric is currently serving as a board member of the Kansas Bar Association Bankruptcy and Insolvency Section. In the past, he has served as the chair of the Missouri Bar's Business/Corporate Division, the co-chair for the Missouri Bar's Bankruptcy Creditor-Debtor Rights Committee, president and board member for the Kansas City Bankruptcy Bar Association, and the president of the Kansas Bar Association Bankruptcy and Insolvency Section, and as a member of the Bench Bar Committees for the U.S. Bankruptcy Courts for the District of Kansas and the Western District of Missouri. Eric has also served on various subcommittees for the Missouri Bar including the subcommittee related to the Missouri Commercial Receivership Act.

Eric is a fellow of The American College of Bankruptcy, Class XXXII (2021). His selection for the College recognizes his professional excellence and contributions to the fields of bankruptcy and insolvency.

Eric is also very active in the American Bankruptcy Institute, the nation's largest association of bankruptcy professionals. He currently serves on the ABI Board of Directors. In the past, Eric served as co-chair and advisory board member for the Midwestern Bankruptcy Institute, an annual program jointly sponsored by the ABI and the University of Missouri – Kansas City, the co-chair, education director and communications director for the Secured Creditors Committee, and as the membership director for ABI's Bankruptcy Litigation Committee. Eric served on the 2019 Steering Committee for ABI's 40 under 40 program.

Eric is a frequent author and speaker on insolvency related topics. Recently, he has been a panelist/presenter or authored articles on the following topics:

- *Everything Equipment: How to Value, Finance and Liquidate Types of Equipment, and Restructuring Methods*

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Board of

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PRACTICE AREAS

- Banking and Financial Services
- Bankruptcy, Restructuring, and Creditors' Rights
- Creditors' Rights, Loan Enforcement, and Creditor Bankruptcy
- False Claims Act/Qui Tam Investigations and Defense

INDUSTRIES

- Financial
- COVID-19 Resources
- COVID-19: Banking and Financial Services

EDUCATION

- University of Northern Iowa (B.A.)
- University of Iowa College of Law, 2001 (J.D.)

BAR ADMISSIONS

- Kansas
- Missouri

COURT ADMISSIONS

- U.S. District Court for the District of Kansas
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Western District of Missouri
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the District of Nebraska
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Tenth Circuit

ABI Winter Leadership Meeting, December 2022

- *Fees, Compensation, and Disclosures*, MoBar 2022 Annual Bankruptcy Institute, March 2022
- *Off to the Races: Procedural and Substantive Implications of § 557 and Grain Storage Facilities*, XLI ABI Journal 40-41, 71, December 2022 (with Andrea M. Chase and James A. Lodoen (Spencer Fane LLP))
- *Beware Collateral Pitfalls In Agricultural Loans*, Missouri Independent Bankers Association (MIBA), Show Me Banker Magazine, October 2022 (with Camber Jones (Spencer Fane LLP))
- *Construction Lending and Bankruptcy: What Lenders Need to Know to Protect Their Interests Before and After a Borrower Files Bankruptcy*, Spencer Fane Webinar Series, May 2021
- *Evaluating Bankruptcy, Receivership, and Assignment For the Benefit of Creditor Alternatives to Protect Lender, Buyer and Borrower Interests*, Strafford CLE, May 2021
- *Island of Misfit Toys: Infrequently Used and Misunderstood Provisions of the Bankruptcy Code and Rules*, KBA Spring 2021 Virtual Bankruptcy Conference, April 2021
- *Liquidity Crisis! Dealing with the Cash-Starved Chapter 11 Debtor Prior to and Through Chapter 11*, ABI Annual Spring Meeting, April 2021
- *Chapter 7 Panel Trustee Perspective*, Kansas City Bankruptcy Bar Association Kansas Judges' Roundtable Webinar, January 2021

DISTINCTIONS

- American College of Bankruptcy, Fellow
 - Michael R. Roser Excellence in Bankruptcy Award – presented by the Missouri Bar to an individual who manifests the highest standard of excellence in bankruptcy practice, who has contributed distinctively to the development and appreciation of bankruptcy law, and/or who has made an outstanding contribution in the field of bankruptcy administration or practice, 2020
 - *Best Lawyers in America*, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law; Litigation – Bankruptcy, 2010-2023
 - *Best Lawyers in America*, Lawyer of the Year, Litigation – Bankruptcy, 2017, 2023
 - *Best Lawyers in America*, Lawyer of the Year, Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2023
 - *Lawdragon 500 Leading U.S. Bankruptcy and Restructuring Lawyers*, 2020, 2022
 - *Missouri and Kansas Super Lawyers*, 2014-2022
 - *Missouri and Kansas Super Lawyers*, Rising Star, 2009, 2011-2013
 - *Missouri Lawyers Media*, POWER List, 2021
 - *IFLR1000*, Restructuring and Insolvency, 2022
 - *Kansas City Business Journal*, Best of the Bar, 2010-2016
 - Board-certified in business bankruptcy by the American Board of Certification. The American Board of Certification's Business Bankruptcy certification program is accredited by the American Bar Association.
- (Please note that neither the Supreme Court of Missouri nor the Missouri Bar reviews or approves certifying organizations or special designations. Colorado does not certify attorneys or specialists in any field.)

MEMBERSHIPS

- American Bankruptcy Institute
 - Commercial Receivers Association
 - Kansas City Bankruptcy Bar Association
 - Kansas City Metropolitan Bar Association
 - Kansas Bar Association
 - Missouri Bar Association
 - National Association of Bankruptcy Trustees
 - The Agricultural Business Council of Kansas City
 - University of Northern Iowa Kansas City Alumni Club – Club Leader
 - University of Iowa Alumni Association
- Contact: Eric Johnson at 816.292.8267 or ejohnson@spencerfane.com.

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