

August 7, 2025

BY EMAIL dwalfish@katskykorins.com

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RE: Peter Schiff v. Qenta, Inc., et. al. Case No. 25-cv-6426 (PKC)

Dear Counsel:

I write on behalf of our client, Wigberto Lugo-Mender, the duly appointed Trustee by the Puerto Rico Office of the Commissioner of Financial Institutions (“OCIF”) to oversee the orderly liquidation of Euro Pacific International Bank, Inc. (“EPB”). This letter responds to the recent correspondence submitted on August 6, 2025, by counsel for Qenta, Inc. (“Qenta”) to the Honorable P. Kevin Castel, U.S. District Judge, in the referenced matter.

After careful review of Qenta’s representations to the court, the Trustee must categorically reject the narrative presented in Qenta’s letter which suggests that Qenta is free to liquidate, transfer, or otherwise dispose of customer assets absent explicit instructions from the respective account holders. This characterization is inaccurate and materially misleading.

For avoidance of doubt, we reiterate the Trustee’s unequivocal position as previously set forth in our July 21, 2025, letter (attached hereto), which remains fully applicable here:

- **Rejection of Unilateral Qenta Liquidation of Customer Assets:**
The Trustee emphatically objects to any unilateral liquidation or disposition by Qenta of precious metals, securities, cash, or other customer-owned assets entrusted to Qenta under the PAA. These assets remain owned by individual EPB customers who have not collectively relinquished control of their accounts. Hence, Qenta’s custody and handling of these assets are subject to individual customer direction and applicable regulatory constraints.



- **Custody and Management of Customer Assets:** Qenta, having accepted these assets, holds them as custodian for the benefit of the respective beneficiaries, and must maintain such custodial responsibilities in their entirety and without disposition, pending individualized instructions from those beneficiaries and absent any contrary regulatory authorization.
- **Custodial Responsibilities and Control of Sensitive Information:** Beyond custody of physical assets such as precious metals and securities, Qenta exercises full control over critical personal information, electronic banking databases, historic transaction records, and other sensitive customer information. This control carries significant fiduciary and regulatory responsibilities, mandating that Qenta maintain the integrity and confidentiality of such information and restrict any disposition or transfer of assets absent explicit, individualized customer instructions and, if necessary, regulatory authorization.

It is essential to emphasize that EPB is not an ongoing bank but rather an entity currently in liquidation under regulatory supervision. The Trustee's mandate is limited to paying claims and overseeing the orderly winding down of EPB's affairs consistent with the OCIF-approved liquidation plan.

The Trustee further expressly reserves all rights, claims, and remedies against Qenta and other parties concerning the termination of the PAA, the custody and disposition of assets, and all related matters.

We trust this correspondence clarifies the Trustee's position regarding this matter and respectfully urge all counsel and parties to align their representations and actions accordingly.

Should you have any questions or require further clarification, please do not hesitate to contact me directly.

Cordially,

s/Eyck O. Lugo

Eyck O. Lugo

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