

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

Glen Ellsworth,
Plaintiff,

Case No: 2024-CP-23-02106

vs.

Insurance Applications Group, Inc.,
Jasper Marshall Dye, III, and Marisa Mazur,
Defendants.

**PLAINTIFF'S MOTION FOR
APPOINTMENT OF A RECEIVER**

COMES NOW Plaintiff Glen Ellsworth and moves pursuant to S.C. Code Section 15-65-10, *et. seq.*, for an Order appointing a receiver to handle the affairs of Defendant Insurance Applications Group, Inc. (IAG). The grounds for this motion are set forth below.

This case involves non-payment of wages to Plaintiff, an employee of IAG. For over two years, Defendants have been knowingly and deliberately withholding commission payments earned by Plaintiff. In response to numerous requests for payment, Defendants have offered a variety of excuses but have never contended that Plaintiff is not entitled to thousands of dollars in long-overdue commission payments. Plaintiff filed this action when it became clear that litigation was the only means of obtaining payment. Since the filing of this action, the non-payment has continued. Plaintiff has not received a proper commission payment and accompanying statement in well over a year.

Since this case was filed, it has become increasingly apparent that IAG cannot or will not meet its obligations to creditors and employees, and there is reason to believe its assets are being used and encumbered by its owner, Defendant Jasper Marshall Dye, III (Dye). In the past year alone, Dye has been identified as the debtor in three separate UCC filings. (Attach. A, B, C.) In each such filing, IAG and Dye's other businesses are listed as co-debtors. It appears that IAG's assets are being pledged to cover Dye's personal debts. Dye has been absent from IAG's place of business for weeks without explanation. Moreover, on November 28, 2024, IAG failed to meet a regularly scheduled payroll, leaving all company employees without income entering the holidays and depriving them of wages already earned. Consequently, IAG is or soon will be unable to function as a going concern.

In addition to these indications that Dye has stripped IAG of assets and abandoned the company, Defendants' responses to discovery in this case reflect an attempt to hide basic financial information. As more fully discussed in Plaintiff's pending motion to compel, Defendants Dye and IAG have refused to provide plainly discoverable information such as w-2's, commission statements, and internal correspondence about commissions earned. There is a significant risk that, absent immediate takeover by a court-appointed receiver, IAG will be further looted and its corporate records compromised, causing irreparable damage to Plaintiff and other IAG employees.

Based on the forgoing, Plaintiff respectfully submits that appointment of a receiver is appropriate under Section 15-65-10(1) (where a plaintiff can establish "an apparent right to property which is the subject of the action and which is in the possession of an adverse party and the property, or its rents and profits, are in danger of being lost or materially injured or impaired") and/or (4) (where the corporate defendant "has been dissolved, is insolvent or in

imminent danger of insolvency or has forfeited its corporate rights”).

Pursuant to Rule 11, the undersigned attempted to consult with Defendants’ counsel prior to filing this motion. Such attempt was unsuccessful in resolving the need for the relief sought herein.

Respectfully submitted this 5th day of December, 2024.

s/ Jeffrey P. Dunlaevy
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