

EXHIBIT 14

CAUSE NO. 2024-48085

ATLANTIC WAVE HOLDINGS, LLC	§	IN THE DISTRICT COURT
AND SECURE COMMUNITY, LLC	§	
<i>Plaintiffs/Judgment-Creditors,</i>	§	
	§	
v.	§	129th JUDICIAL DISTRICT
	§	
CYBERLUX CORPORATION and MARK	§	
SCHMIDT, Individually,	§	
<i>Defendants/Judgment-Debtors.</i>	§	HARRIS COUNTY, TEXAS

PLAINTIFFS’ SECOND AMENDED MOTION FOR DISTRIBUTION OF FUNDS

Plaintiffs/Judgment-Creditors Atlantic Wave Holdings, LLC and Secure Community, LLC (Plaintiffs) file this second amended motion seeking court approval for the distribution of non-exempt funds held by the Receiver under the Order Appointing Receiver (Receivership Order), signed on May 22, 2025.

I. INTRODUCTION

On June 23, 2023, a Virginia state court presiding over *Atlantic Wave Holdings, LLC and Secure Community, LLC v. Cyberlux Corporation and Mark D. Schmidt*, Case No. CL22-3882-4, in the Circuit Court of the City of Richmond, State of Virginia, entered a Judgment (Underlying Judgment) in favor of Plaintiffs and against Defendants/Judgment-Debtors Cyberlux Corporation and Mark D. Schmidt (Defendants), in the principal sum of \$1,572,500.00 plus costs, fees, and sanctions.

On July 30, 2024, Plaintiffs filed a Petition to Enforce the Underlying Judgment in this Court. After significant gamesmanship and litigation tactics deployed by Defendants to avoid satisfying the Underlying Judgment, on May 22, 2025, pursuant to Texas Civil Practice & Remedies Code § 31.002(b)(3), this Court signed the Receivership Order. The Receivership Order appointed Receiver, among other duties and responsibilities, “to take possession of [Cyberlux

Corporation] property, sell it, and pay the proceeds to [Plaintiffs] to the extent required to satisfy the judgment.”

In June of 2025, over six months ago, Receiver took possession of \$3,083,639.75 in non-exempt funds of Cyberlux Corporation under the Receivership Order. Paragraph 53 of the Receivership Order directs Receiver to pay the funds, after set offs as Receiver deems reasonable, to Plaintiffs within a reasonable time.

In a contemporaneous garnishment proceeding in Virginia, on November 14, 2025, the Circuit Court of Fairfax County, Virginia in *Atlantic Wave Holdings, LLC and Secure Community, LLC v. Cyberlux Corporation*, Case No. CL-2025-3413 entered its Final Order (Order) which, among other things, ordered the Virginia court clerk to disburse (1) \$952,601.71, representing the principal balance owed on the Underlying Judgment; and (2) \$187,399.95, representing Plaintiffs’ reasonable attorneys’ fees and costs incurred in the Virginia state court proceedings. On November 18, 2025, \$1,140,004.66 of the garnished funds was disbursed to Plaintiffs. While the Virginia state court ruled Plaintiffs are entitled to all costs and fees by statute and under the Settlement Agreement, the Virginia state court only had jurisdiction to award costs and fees incurred in the Virginia state court proceedings. As a result, Plaintiffs’ reasonable attorneys’ fees and costs incurred in this enforcement proceeding remain outstanding.

Plaintiffs are owed at least \$857,734.19 in reasonable attorneys’ fees and cost in this Texas enforcement proceeding and the other related proceedings in Texas. Rather than satisfy the judgment in June of 2023, Defendants chose to resist, delay, and interfere with Plaintiffs’ collection efforts needlessly increasing interest accrued on the judgment as well as attorney fees and costs incurred by Plaintiffs. For example, Defendants filed numerous unsuccessful motions in this Court, filed two unsuccessful removals to Texas federal court (one of which led to sanctions

and an admonition being imposed against Defendants), and initiated and filed multiple unsuccessful challenges to the Court of Appeals, First District of Texas.

II. ARGUMENT

This motion resolves the liquidated damages of the Underlying Judgment in this enforcement action. This motion does not resolve matters before the Richmond, Virginia, Circuit Court, Cause No. CL24003910 (Stock Case), the interpleader action before the United States District Court for the Eastern District of Virginia, Richmond Division, Case 3:25-cv-00483 (Interpleader Action), or any other separate and distinct claims not specifically pleaded in this enforcement action.

Under section 31.002(e) of the Texas Civil Practice and Remedies Code and the Settlement Agreement, Plaintiffs are “entitled to recover reasonable costs, including attorney’s fees.” Plaintiffs have provided to Receiver true and correct copies of the attorneys’ fees and costs incurred by Plaintiffs in the Texas proceedings, and supporting attorney fee affidavits, for review and consideration, and Plaintiffs will proffer the same documents to the Court for *in camera* inspection if necessary. Accordingly, Plaintiffs hereby contend that the *Rohrmoos Ventures* elements have been satisfied and that Plaintiffs’ reasonable attorneys’ fees and costs incurred and recoverable under Tex. Civ. Prac. & Rem. Code § 31.002(e) (and the Settlement Agreement) are at least, \$857,734.19, and further contends that Receiver should promptly pay \$857,734.19 to Plaintiffs from the \$3,083,639.75 in non-exempt funds currently held by Receiver under the Receivership Order.

III. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, Plaintiffs/Judgment-Creditors Atlantic Wave Holdings, LLC and Secure Community, LLC, respectfully ask that this Court order Receiver Robert W. Berleth and Berleth & Associates, PLLC, to disburse \$857,734.19 to Plaintiffs/Judgment-Creditors Atlantic Wave Holdings, LLC and Secure Community, LLC, within two business days of entry of this Court's order.

Dated: January 6, 2026.

By: /s/ Daniel A. Ardmore

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***Attorneys for Atlantic Wave Holdings,
LLC, and Secure Community, LLC***

CERTIFICATE OF SERVICE

I certify that on January 6, 2026, a true and correct copy of the foregoing document was served on all parties of record via electronic service from the court's ECF system for registered users, in accordance with Rule 21a of the Texas Rules of Civil Procedure.

By: /s/ Daniel A. Ardmore
Daniel A. Ardmore

CERTIFICATE OF CONFERENCE

I certify that on January 5, 2026, counsel for Plaintiffs/Judgment Creditors Atlantic Wave Holdings, LLC and Secure Community, LLC, conferred with Receiver Robert W. Berleth and Berleth & Associates, PLLC, about the relief requested in and the merits of this motion. Receiver Robert W. Berleth and Berleth & Associates, PLLC, **do not oppose** the motion.

By: /s/ Daniel A. Ardmore /s/ James Sadigh
Daniel A. Ardmore & James Sadigh

Unofficial Copy Office of Marilyn Burgess District Clerk