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6 Attorney for Claimant Pradeep Sindhu

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8 **UNITED STATES BANKRUPTCY COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

13 Plaintiff,

14 JOHN V. BIVONA; SADDLE RIVER  
ADVISORS, LLC; SRA MANAGEMENT  
15 ASSOCIATES, LLC; FRANK GREGORY  
MAZZOLA,

16 Defendants, and

17 SRA I LLC; SRA II LLC; SRA III LLC;  
18 FELIX INVESTMENTS, LLC; MICHELE J.  
19 MAZZOLA; ANNE BIVONA; CLEAR  
SAILING GROUP IV LLC; CLEAR  
20 SAILING GROUP V LLC,

21 Relief Defendants.  
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Case No. 3:16-cv-01386-EMC

**OBJECTION TO PLAINTIFF  
SECURITIES AND EXCHANGE  
COMMISSION'S REVISED  
DISTRIBUTION PLAN**

Date: June 27, 2019

Time: 1:30 p.m.

Place: Courtroom 5

450 Golden Gate Avenue

San Francisco, CA

Judge: Hon. Edward M. Chen

23 CLAIMANT PRADEEP SINDHU, ("Sindhu") hereby objects to the plaintiff, Securities  
24 and Exchange Commission's ("SEC"), Revised Distribution Plan filed on February 19, 2019  
25 (Docket 456, the "SEC Plan"). Kathy Bazoian Phelps, the successor receiver appointed by the  
26 Court on February 28, 2019 (the "Receiver"), has circulated an alternate plan of distribution (the  
27 "Receiver's Proposed Plan"), which addresses certain significant flaws in the SEC Plan, and  
28 appears to be, at least as to structure, a feasible proposal. It is expected that the Receiver will file

1 the final version today.

2 Counsel understands that there are ongoing discussions among the various stakeholders  
3 that may change the terms of the plan. Notwithstanding this, the current version of the Receivers  
4 Proposed Plan is far superior to that of the SEC Plan in its structure and operation. Among other  
5 things, the Receiver's Proposed Plan avoids substantial uncertainty that exists in the SEC Plan as  
6 it: 1) defines all terms used; 2) clearly describes the assets held by the Receiver; 3) specifically  
7 describes the claims of each creditor; 4) identifies the claims of investors by investment type; 5)  
8 provides a straightforward method of creating a fund from which to pay taxes and administrative  
9 expenses (thus avoiding the risk of an administratively-insolvent case), and to pay creditor claims;  
10 and 6) sets out claims and priority of distribution by class. There are other problems with the SEC  
11 Plan that are resolved in the Receiver's Proposed Plan that need not be listed here.

12 It is expected that the amounts, priorities and percentages of distribution may change, and  
13 thus, Mr. Sindhu cannot approve the current Receivers Proposed Plan. He requests, however, that  
14 the Court set forth a further period during which the Receiver may finalize her plan and obtain  
15 final positions from the parties.

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17 Dated: June 6, 2019

BINDER & MALTER, LLP

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By: /s/Wendy Watrous Smith  
Wendy Watrous Smith, attorneys for  
Claimant Pradeep Sindhu

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