

1 KATHY BAZOIAN PHELPS (State Bar No. 155564)  
2 *kphelps@diamondmccarthy.com*  
3 DIAMOND MCCARTHY LLP  
4 1999 Avenue of the Stars, Suite 1100  
5 Los Angeles, California 90067-4402  
6 Telephone: (310) 651-2997

7 *Successor Receiver*

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

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

13 Plaintiff,

14 v.

15 JOHN V. BIVONA; SADDLE RIVER  
16 ADVISORS, LLC; SRA  
17 MANAGEMENT ASSOCIATES,  
18 LLC; FRANK GREGORY  
19 MAZZOLA,

20 Defendants, and

21 SRA I LLC; SRA II LLC; SRA III  
22 LLC; FELIX INVESTMENTS, LLC;  
23 MICHELE J. MAZZOLA; ANNE  
24 BIVONA; CLEAR SAILING GROUP  
25 IV LLC; CLEAR SAILING GROUP V  
26 LLC,

27 Relief Defendants.

Case No. 3:16-cv-01386-EMC

**ORDER GRANTING ADMINISTRATIVE  
MOTION BY RECEIVER KATHY  
BAZOIAN PHELPS PURSUANT TO  
LOCAL CIVIL RULE 7-11 TO (1) EXCUSE  
DEADLINE RE TAX OPINION; AND (2)  
SHORTEN TIME FOR NOTICE ON  
MOTION TO EMPLOY PROFESSIONALS  
AND FOR INSTRUCTIONS**

Date: No Hearing Set  
Time: No Hearing Set  
Judge: Edward M. Chen

28 Kathy Bazoian Phelps, the successor receiver (the “Receiver”) in this matter appointed pursuant to the Court’s Revised Order Appointing Receiver (the “Receiver Order”) (Doc. No. 469), requests that the Court grant her Administrative Motion Pursuant to Local Civil Rule 7-11

1 to Excuse Deadline re Tax Opinion and Shorten Time for Notice on Motion to Employ  
2 Professionals and for Instructions. The Receiver through her declaration has represented that she  
3 has conferred with counsel for the Securities and Exchange Commission, counsel for the SRA  
4 Investor Group, and counsel for Progresso Ventures LLC and that none of them expressed any  
5 opposition to the Motion.

6 The Receiver has represented in her Motion and declaration the basis for the request to be  
7 excused from the August 9, 2019 suggested deadline and the basis for the request to shorten time  
8 for notice on her proposed motion to employ tax and securities professionals and for instruction.

9 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

- 10 1. The Motion is granted.
- 11 2. The Receiver is excused from providing a tax opinion by the Court's earlier suggested  
12 deadline of August 9, 2019.
- 13 3. The Receiver may file a motion to employ tax and securities professionals and to seek  
14 instructions no later than August 15, 2019 for a hearing date of September 12, 2019 at  
15 1:30 p.m. Any opposition to the motion is due no later than August 29, 2019, and any  
16 reply brief is due no later than September 5, 2019.

17  
18  
19 DATED: \_\_\_\_\_

\_\_\_\_\_  
20 EDWARD M. CHEN  
21 United States District Judge  
22  
23  
24  
25  
26

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28