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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

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

Defendants, and

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

Relief Defendants.

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

~~[PROPOSED]~~ ORDER GRANTING  
ADMINISTRATIVE MOTION BY  
RECEIVER KATHY BAZOIAN  
PHELPS PURSUANT TO LOCAL  
CIVIL RULE 7-11 FOR ORDER  
APPROVING SETTLEMENT WITH  
EQUITY ACQUISITION COMPANY  
LTD

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

1 Kathy Bazoian Phelps, the successor receiver (the “Receiver”) in this matter  
2 appointed pursuant to the Court’s Revised Order Appointing Receiver (the  
3 “Receiver Order”) (Doc. No. 469), requests that the Court grant her Administrative  
4 Motion Pursuant to Local Civil Rule 7-11 for Order Approving Settlement with  
5 Equity Acquisition Company Ltd. (“EAC”) and Carsten Klein (“Klein”). The  
6 Receiver through her declaration has represented that she has conferred with  
7 counsel for the Securities and Exchange Commission, counsel for the SRA Investor  
8 Group, and counsel for Progresso Ventures LLC and that none of them expressed  
9 any opposition to the Motion.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED THAT:

11 1. The Motion is granted.

12 2. The Settlement Agreement with EAC and Klein, a copy of which is  
13 attached to the Motion as Exhibit “1,” (the “Settlement Agreement”) is hereby  
14 approved.

15 3. EAC shall transfer the right title and beneficial interest in the following  
16 securities, or contractual rights to shares, to the Receiver as set forth in the  
17 Settlement Agreement:

18  
19 11,125 shares of *Airbnb, Inc.*;  
20 9,479 shares of *Lyft, Inc.*;  
21 23,206 shares of *Pinterest, Inc.*;  
22 500 shares of *Uber Technologies, Inc.*;  
23 317,649 shares of *Palantir Technologies, Inc.*;  
24 1,495 shares of *ZocDoc, Inc.*; and  
25 835,000 shares of *Practice Fusion, Inc.*

26 4. The Receiver shall transfer the right, title and beneficial interest in the  
27 following shares, or contractual rights to shares, to EAC as set forth in the  
28 Settlement Agreement:

33,789 shares of *Addepar, Inc.*;  
2,349 shares of *Bloom Energy, Inc.*;

1           7,399 shares of *Cloudera, Inc.*;  
2           3,892 shares of *Evernote, Corp*; and  
3           37,676 shares of *Lookout, Inc.*

4           5.       The claim of Kenneth Lacey for \$500,000 shall be allowed as a  
5 subordinated claim as set forth in the Settlement Agreement, to be paid only  
6 following payment in full to administrative fees and expenses, federal and state  
7 taxes, priority claims, unsecured creditor claims and investor claims.

8           6.       The claim of Alexander Pisemskiy for \$500,000 shall be allowed as a  
9 subordinated claim as set forth in the Settlement Agreement to be paid only  
10 following payment in full to administrative fees and expenses, federal and state  
11 taxes, priority claims, unsecured creditor claims and investor claims.

12          7.       The claim of Carsten Klein for \$100,000 shall be allowed as a  
13 subordinated claim as set forth in the Settlement Agreement to be paid only  
14 following payment in full to administrative fees and expenses, federal and state  
15 taxes, priority claims, unsecured creditor claims and investor claims.

16          8.       The Court retains exclusive jurisdiction over any action, suit or  
17 proceeding to enforce the Settlement Agreement, and any such action, suit or  
18 proceeding shall be brought solely in this Court.

19  
20 DATED: January 15, 2020



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22 EDWARD M. CHEN  
23 United States District Judge  
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