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5 Counsel to Receiver Sherwood  
Partners Inc.

6  
7 **UNITED STATES DISTRICT COURT**  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
9

10 SECURITIES AND EXCHANGE  
COMMISSION,

11 Plaintiff,

12 v.

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

16 Defendants, and

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

21 Relief Defendants.  
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Case No. 3:16-cv-1386

**NOTICE OF LODGING OF  
COURT APPROVED CLAIM  
FORM**

Date: November 20, 2017

Time: N/A

Court: Courtroom 5

Judge: Edward M. Chen



# Exhibit A

*Securities and Exchange Commission v. Bivona et al., Case No. 3:16-cv-1386 (N.D. Cal.)*

**If you invested money with  
SRA Management Associates, LLC, managed by John  
Bivona, or any of the entities below, you may be entitled to  
relief if you complete and send this claim form  
by January 31, 2018.**

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

- This case involves an action for securities fraud initiated by the Securities and Exchange Commission. The court has placed all all assets belonging to the following entities under the control of a Court-appointed Receiver:

Defendant Entities <sup>1</sup>	Affiliated Entities
SRA Management Associates, LLC	FMOF I, LLC
SRA I, LLC	FMOF II, LLC
SRA II, LLC	FMOF Management Associates, LLC
SRA III, LLC	NYPA I, LLC
Clear Sailing Group IV, LLC	NYPA II, LLC
Clear Sailing Group V, LLC	NYPA Management Associates, LLC

- The assets include pre-IPO securities interests in the following companies:  
[List Companies]
- The Court must determine a fair and equitable means to distribute the assets above to investors in the aforementioned entities, as well as any potential creditors. The purpose of this claim form is to identify all potential investors and creditors with valid claims against the Receivership Entities.
- **If you invested money with any of the entities above, or are a creditor, you must complete and submit this form to the court-appointed Receiver by January 31, 2018.** Completed claims should be delivered to:

Sherwood Partners, Inc.  
Po Box 391600  
Mountain View, CA 94039  
E-mail: [saddleriver@sherwood.com](mailto:saddleriver@sherwood.com)

If you have any questions, a representative of the Receiver can be contacted at Sherwood Partners, Inc., (650) 329-9996.

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<sup>1</sup> Saddle River Advisors, LLC and Felix Investments, LLC are also defendants in this action, but not entities within the Receivership.

## PROOF OF CLAIM

**This is an important legal document that will affect your legal rights if you have an interest in one or more of the Receivership Entities as an investor or creditor. If you have an interest in one or more of the Receivership Entities as an investor or creditor, you must submit this proof of claim to the Receiver on or before January 31, 2018. Failure to do so could result in the forfeiture of your claim.**

The Court has not yet determined how the assets of the Receivership Entities will be managed or distributed or how claims against the Receivership Entities will be paid. However, when the Court makes this determination, the information provided in this Proof of Claim Form will be used to calculate your interest in the Receivership Entities and your entitlement, if any, to participate in any distribution from the Receivership.

The Receiver has the right to dispute and/or verify any information you have provided in order to determine the proper distribution amount, if any, to which you may be entitled. The Receiver additionally reserves the right to request additional documentation supporting your claim at a later date. All original documentation should be preserved as it may be requested at a future date. If you are an investor, the Receiver has the right to **correct for administrative, or computational error**, any information you may have provided as to your Net Investment Amount. The Receiver does not waive any right to (1) deny, contest the validity of, or otherwise object to a claim, or (2) if warranted, amend the provided Net investment Amount.

### IMPORTANT INFORMATION TO READ PRIOR TO SUBMITTING THIS FORM:

ANY PERSON OR ENTITY SUBMITTING THIS PROOF OF CLAIM FORM, EXCEPT FOR STATE AND LOCAL GOVERNMENT ENTITIES, SUBMITS TO THE EXCLUSIVE JURISDICTION OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA AS TO ANY CLAIMS, OBJECTIONS, DEFENSES, OR COUNTERCLAIMS THAT COULD BE OR HAVE BEEN ASSERTED BY THE RECEIVER AGAINST SUCH CLAIMANT OR THE HOLDER OF SUCH CLAIM IN CONNECTION WITH THIS RECEIVERSHIP, INCLUDING THOSE ARISING OUT OF (1) ANY DEALING OR BUSINESS TRANSACTED BY OR WITH ANY RECEIVERSHIP ENTITY OR (2) ANY DEALING OR BUSINESS TRANSACTED THAT RELATES IN ANY WAY TO ANY RECEIVERSHIP PROPERTY.

YOU MUST SUBMIT THIS COMPLETED FORM, SIGNED UNDER PENALTY OF PERJURY, SO THAT IT IS RECEIVED BY THE RECEIVER BY NO LATER THAN DECEMBER 31, 2017. SEND YOUR FORM TO:

Sherwood Partners, Inc.  
Po Box 391600  
Mountain View, CA 94039

YOU CAN ALSO EMAIL YOUR COMPLETED FORM TO THE RECEIVER AT:  
[saddleriver@shrwood.com](mailto:saddleriver@shrwood.com)

IF YOU DO NOT SUBMIT YOUR COMPLETED CLAIM FORM BY JANUARY 31, 2018, YOU WILL BE FOREVER BARRED FROM ASSERTING ANY CLAIM AGAINST THE RECEIVERSHIP ENTITIES' ASSETS AND YOU WILL NOT BE ELIGIBLE TO RECEIVE ANY DISTRIBUTIONS FROM THE RECEIVER.

**Contact Information**

Please check all that apply:

- I am (we are/my firm is) an investor in one or more of the above Receivership Entities.
- I am (we are/my firm is) a creditor for one or more of the above Receivership Entities.

My contact information is as follows:

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Investor Claim**

Records provided by the Receivership Entities indicated that you invested the following amount(s) into one or more of the Receivership Entities on the date(s) as follow(s) for the pledged numbers of shares or units. Please review this information carefully to ensure that it is accurate and consistent with your records. If any of the information set forth below is inaccurate, please provide the correct information and supporting documentation.

Date: \_\_\_\_\_

Intended Fund (e.g., SRA I, LLC): \_\_\_\_\_

Intended Investment (e.g., Bloom Energy): \_\_\_\_\_

Net Investment Amount (s): \_\_\_\_\_

Shares/Units Purchased \_\_\_\_\_

Management Fee \_\_\_\_\_

Carried Interest Fee \_\_\_\_\_

Date: \_\_\_\_\_

Intended Fund: \_\_\_\_\_

Intended Investment: \_\_\_\_\_

Net Investment Amount(s): \_\_\_\_\_

Shares/Units Purchased \_\_\_\_\_

Management Fee \_\_\_\_\_  
Carried Interest Fee \_\_\_\_\_

Supporting Documents: Please attach copies of any documents that support the investment, such as cancelled checks, Welcome Letters, statements or subscription agreements. DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Disbursements Received**

Please check only one box:

- I have received cash or stock due from one of the investments identified above.
- I have not received any cash or stock due from the investments identified above.

If you have received cash or stock, please provide information about the cash or stock you have already received below. Please list each disbursement separately. Use as many pages as necessary to enter all disbursements received. Include copies of any bank/broker statement, copy of certificates, or acknowledgment of receipt.

Fund Invested (e.g., SRA I, LLC): \_\_\_\_\_

Pre- IPO Investment (e.g., Bloom Energy): \_\_\_\_\_

Original Amount Invested: \_\_\_\_\_

Amount of shares  
or Cash Received: \_\_\_\_\_

Date Received: \_\_\_\_\_

Amount of shares or Cash Outstanding: \_\_\_\_\_

**Creditor Claim**

If you are a creditor of one or more of the Receivership Entities, please list any loans, fees for service, unpaid wages separately and the entity for which you are a creditor. Use as many pages as necessary to list all of your claims.

Date debt was incurred: \_\_\_\_\_

Amount of Claim (as of the date of the Receivership, October 11, 2016): \$ \_\_\_\_\_

Check box if all or part of claim is secured.

Check box if claim includes interest or other charges in addition to the principal amount

Principal amount of the claim: \$ \_\_\_\_\_

Interest or other charges: \$ \_\_\_\_\_

Please attach a statement that itemizes all interest or other charges.

Basis for Claim: (check one)

- Goods sold
- Money loaned
- Taxes
- Other (Describe briefly): \_\_\_\_\_
- Services performed
- Equipment leased
- Equity Interest (Not investments)

If a court judgment exists, what date was the judgment obtained and what is the amount of the judgment:

\_\_\_\_\_

Supporting Documents: Please attach copies of any documents that support your creditor claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, attach copies of documents providing evidence of perfection of a security interest. DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attestation**

I have enclosed copies of my subscription(s), cancelled check(s) or other acknowledgment of my investment or claim, as well as the most recent correspondence and/or information I received from Saddle River Advisors, et. al., including a copy of my most recent statement form to support the above claim. I acknowledge that I have read, understood, and agreed to all of the requirements above.

I declare under penalty of perjury that all the foregoing information is true and correct.

Executed in \_\_\_\_\_ on \_\_\_\_\_, 201\_.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_



1 JOHN W. COTTON (SBN 54912)  
Email: JCotton@gghslaw.com  
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15260 Ventura Blvd., Suite 1920  
3 Sherman Oaks, CA 91403  
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5 Counsel to the Receiver  
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16 Defendants.

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

21 Relief Defendants.

Case No. 3:16-cv-1386

**CERTIFICATE OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 15260 Ventura Blvd., Suite 1920, Sherman Oaks, California 91403.

On November 21, 2017 I served the following document(s) described as

**- NOTICE OF LODGING OF COURT APPROVED CLAIM FORM**

on the interested parties in this action:

**(X)** by serving ( ) the original **(X)** true copies thereof as follows:

Frank Gregory Mazzola 27 Dogwood Hill Drive Upper Saddle River, NJ 07458	Michele J. Mazzola 27 Dogwood Hill Drive Upper Saddle River, NJ 07458
Marc David Katz Securities and Exchange Commission 44 Montgomery Street Suite 2800 San Francisco, CA 94104	

<b>(XX) BY MAIL</b> I caused such envelope to be deposited in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.	<b>( ) BY FACSIMILE TRANSMISSION</b> I caused said document(s) to be transmitted by facsimile transmission to the name(s) and facsimile telephone number(s) of the person(s) named on the attached service list. The facsimile machine telephone number of the sending facsimile machine was (213) 542-2101. A transmission report was issued by the sending facsimile machine confirming that the transmission was completed without error. A true and correct copy of said transmission report is attached hereto.
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**(X) FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

**(X) EXECUTED** on November 21, 2017 at Sherman Oaks, California.

  
\_\_\_\_\_  
Nicole Salazar