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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JOHN V. BIVONA; SADDLE RIVER
ADVISORS, LLC; SRA MANAGEMENT
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

**THE SRA FUNDS INVESTOR GROUP'S
OBJECTION TO LETTER FILED BY
JOHN SYRON ON BEHALF OF
INTERESTED PARTY GLOBAL
GENERATION GROUP LLC [DKT 398]**

Prior Hearing Date: July 16, 2018
Time: 1:30 PM
Courtroom: 5
Judge: Hon. Edward M. Chen

1 The SRA Funds Investor Group (the “Investor Group”) objects to the untimely and improper
2 letter to the Court filed earlier today by John Syron, the owner of interested party Global Generation
3 Group LLC (“Global”). *See* Dkt. 398. For the reasons below, the Court should not consider this
4 letter in ruling on Global’s claim.

5 Global and Mr. Syron, are represented by counsel in this action. Mr. Syron already has
6 submitted three declarations in the case [Dkts. 198, 244, 359-1], and surely is aware of the proper
7 procedure for submitting admissible testimony to the Court. The time for Mr. Syron to submit any
8 such testimony in support of Global’s claim was on June 28, 2018, when Global filed its brief in
9 support of its claim. And Mr. Syron did in fact submit a declaration, under penalty of perjury, on that
10 date. *See* Dkt. 359-1.

11 At the August 16, 2018 further case management conference, Global’s counsel requested an
12 opportunity to file another brief before the Court ruled on the status of Global’s claim. In its August
13 16, 2018 minute order, the Court allowed the submission by August 23 of a “succinct and short” legal
14 memorandum by any interested party setting forth “new supplemental authority” pertaining to
15 Global’s claim. Dkt. 395. Global timely filed a supplemental brief on August 23 in compliance with
16 the minute order, as did the Investor Group. *See* Dkts. 396 and 397. Mr. Syron’s August 24 letter is
17 neither timely under the minute order nor is it proper. It attempts to introduce new factual arguments,
18 much of which are baseless, unsupported by any evidence, and grossly inaccurate. It presents no
19 legal argument and is plainly not a timely-filed “succinct and short” legal brief setting forth new
20 authority, as the Court’s minute order required of any further submission on the issue. For these
21 reasons, the Court should not consider Mr. Syron’s letter for any purpose.

22 Respectfully submitted,

23 DATED: August 24, 2018

PRITZKER LEVINE LLP

24 By: /s/ Jonathan K. Levine
25 Jonathan K. Levine
26 Elizabeth C. Pritzker
Bethany Caracuzzo

27 Attorneys for the SRA Funds Investor Group

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