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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 SECURITIES AND EXCHANGE
14 COMMISSION,

15 Plaintiff,

16 vs.

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

19 Defendants, and

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

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

**DECLARATION OF JONATHAN K.
LEVINE IN SUPPORT OF THE SRA
FUNDS INVESTOR GROUP'S
PROPOSED ALTERNATIVE PLAN OF
DISTRIBUTION**

Date: October 23, 2018

Time: 1:30 PM

Courtroom: 5

Judge: Hon. Edward M. Chen

1 I, Jonathan K. Levine, declare as follows:

2 1. I am a partner of Pritzker Levine LLP, counsel for the SRA Funds Investor Group. I
3 submit this declaration in support of the Investor Group’s Alternative Plan of Distribution, which the
4 Group requests that the Court approve in place of the Joint Distribution Plan of the Receiver and the
5 SEC. I have personal knowledge of the facts stated herein and, if called upon to do so, could and
6 would testify completely thereto.

7 2. The Investor Group has proposed that Susan L. Uecker serve as the oversight officer
8 for the SRA Funds on a going forward basis if its distribution plan is approved by the Court. Ms.
9 Uecker, whose office is located in San Francisco, is a respected and experienced fiduciary with more
10 than 25 years of experience serving as a trustee, receiver, referee, and in other fiduciary capacities.
11 She has been appointed as receiver in more than 220 proceedings in 23 different counties in
12 California, as well as the U.S. District Courts for the Northern and Eastern Districts of California and
13 the District of Columbia. Ms. Uecker currently serves, at the request of the SEC, as the receiver in
14 *SEC v. San Francisco Regional Center, LLC, et al.*, No. 3:17-cv-00223-RS, an SEC receivership
15 action pending before Judge Seeborg.¹ Ms. Uecker also has been appointed as trustee and in a host
16 of other fiduciary positions in more than 90 proceedings in the U.S. Bankruptcy Courts for the
17 Northern and Eastern Districts of California. Ms. Uecker is independent of and has had no prior
18 relationship or communications with Investor Rights, LLC or the advisory committee. A true and
19 correct copy of Ms. Uecker’s resume is attached hereto as Exhibit A.

20 I declare under penalty of perjury and under the laws of the State of California and the United
21 States of America that the foregoing is true and correct. Executed on this 28th day of September,
22 2018 at Oakland, California.

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24 ¹ In seeking Ms. Uecker’s appointment as receiver in the SEC action pending before Judge Seeborg,
25 the SEC told the Court that “Ms. Uecker is highly qualified and has significant experience as a
26 receiver, including in equity receiverships in SEC cases,” and that Ms. Uecker “is located in the Bay
27 Area, and has experience in cases in the Northern District of California.” *SEC v. SFRC, et al.*, No.
28 3:17-cv-00223-RS, Dkt. 10 at p. 32 (SEC Mot. for Prel. Inj. and Appt. of Receiver).

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By: /s/ Jonathan K. Levine
Jonathan K. Levine
Counsel for the SRA Funds Investor Group