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5 *Successor Receiver*

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

10
11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 v.

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

17 Defendants, and

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

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

**NOTICE OF ADMINISTRATIVE MOTION
BY RECEIVER KATHY BAZOIAN PHELPS
PURSUANT TO LOCAL CIVIL RULE 7-11
FOR ORDER APPROVING SETTLEMENT
WITH BEN SABRIN**

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

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25 **TO ALL INTERESTED PARTIES:**

26 **PLEASE TAKE NOTICE THAT** under Local Civil Rule 7-11, Kathy Bazoian Phelps, the
27 successor receiver herein (the “Receiver”) of SRA Management Associates, LLC, SRA I, LLC,
28 SRA II, LLC, SRA III, LLC, Clear Sailing Group IV, LLC, Clear Sailing Group V, LLC, Felix

1 Multi-Opportunity Fund I, LLC, Felix Multi-Opportunity Fund II, LLC, Felix Management
2 Associates, LLC, NYPA Fund I, LLC, NYPA Fund II, LLC, NYPA Management Associates, LLC
3 and Solis Associates Fund LLC, hereby files this Motion for Order for Approval of Settlement with
4 Ben Sabrin.

5 The Motion seeks approval of a settlement agreement that the Receiver has entered with Ben
6 Sabrin which resolves the Receiver's claims against Sabrin for the return of certain shares of
7 MongoDB. The settlement provides for payment to the estate of \$402,000 and dismissal of the
8 pending complaint. The Receiver intends to segregate these settlement proceeds in an account titled
9 MongoDB Reserve, which may later also hold funds relating to the MongoDB investments. The
10 Receiver will seek further Court approval prior to distributing the proceeds.

11 The Motion is based upon this Notice of Motion, the Motion, the Declaration of the Receiver,
12 and the proposed order. In addition to service by ECF, the Receiver intends to serve this Notice,
13 the Motion and the supporting documents on Sabrin's counsel. *See* Civil L.R. 66-6.

14 **PLEASE TAKE FURTHER NOTICE THAT** any opposition to the Motion must be filed
15 within four days of the filing of the Motion. *See* Civil Local Rule 7-11.

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17 Respectfully submitted,

18 DATED: March 19, 2021

19 By: /s/ Kathy Bazoian Phelps
20 Kathy Bazoian Phelps
21 Successor Receiver
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