

1 KATHY BAZOIAN PHELPS (State Bar No. 155564)  
2 *kphelps@diamondmccarthy.com*  
3 DIAMOND MCCARTHY LLP  
4 1999 Avenue of the Stars, Suite 1100  
5 Los Angeles, California 90067-4402  
6 Telephone: (310) 651-2997

7 *Receiver*

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

12 COMMODITY FUTURES TRADING  
13 COMMISSION,

14 Plaintiff,

15 v.

16 DENARI CAPITAL LLC, TRAVIS  
17 CAPSON, and ARNAB SARKAR,

18 Defendants,

Case No. 19-cv-07284-EMC

**DECLARATION OF DAVID A.  
CASTLEMAN IN SUPPORT OF THIRD  
ADMINISTRATIVE MOTION FOR AN  
ORDER PURSUANT TO LOCAL RULE 7-11  
FOR THE APPROVAL OF FEES AND  
EXPENSES FOR RECEIVER, DIAMOND  
McCARTHY LLP, AND SCHINNER &  
SHAIN, LLP THROUGH SEPTEMBER 30,  
2020**

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

1 I, David A. Castleman, declare:

2 1. I am an attorney duly licensed to practice in the State of California, and a senior  
3 counsel at the firm of Diamond McCarthy LLP (“Diamond McCarthy”), counsel of record for the  
4 Receiver Kathy Bazoian Phelps in this case. I have personal knowledge of the matters set forth  
5 below and if called as a witness, I would and could testify competently to the matters stated herein.

6 2. This declaration is made in support of the Third Administrative Motion for an Order  
7 Pursuant to Local Rule 7-11 for the Approval of Fees and Expenses for the Receiver, Diamond  
8 McCarthy LLP, and Schinner & Shain, LLP through September 30, 2020 (“Motion”).

9 3. On February 4, 2020, the Court entered an order (Doc. No. 44) authorizing the  
10 Receiver to employ Diamond McCarthy as the Receiver’s general counsel retroactively to  
11 December 4, 2019 (“DM Employment Order”). I am the attorney principally responsible for  
12 representing the Receiver. I directly supervised the professionals and staff of Diamond McCarthy  
13 with respect to this representation.

14 4. In recognition of the efficiencies and benefits to the estate, Diamond McCarthy has  
15 divided its time among different billing categories. For the period of July 1, 2020 through  
16 September 30, 2020 (“Motion Period”), Diamond McCarthy performed services between the  
17 following 4 billing categories:

- 18 Case Administration
- 19 Asset Disposition
- 20 Fee Applications/Objections
- 21 Plan & Disclosure Statement

22 In the interests of the estate and pursuant to the DM Employment Order, Diamond McCarthy has  
23 reduced its rates by 20%. These distinct billing categories enable Diamond McCarthy to monitor its  
24 activities and appropriately account for the time expended.<sup>1</sup> Attached hereto as Exhibit “4” are true  
25

26 \_\_\_\_\_  
27 <sup>1</sup> In certain instances, where more than one category of issues might have been addressed during  
28 the course of a meeting or telephone conference, Diamond McCarthy’s time records may include  
that time in only one billing category.

1 and correct copies of the billing statements itemizing the legal services provided in this case.

2 Case Administration

3 5. Diamond McCarthy performed 4.70 hours of case administration services for total fees  
4 of \$1,823.60.

5 6. The Case Administration billing category includes all professional services related to  
6 general representation of the Receiver in her administration of the Receivership Estate during the  
7 Motion Period, including but not limited to: remaining in communication with the Receiver,  
8 working with the Receiver to draft and ensure proper filing of her Second Status Report, and  
9 reviewing the status of third party agreements and motions to be filed regarding settlements, sales,  
10 and the plan.

11 Asset Disposition

12 7. Diamond McCarthy performed 64.50 hours of asset disposition services for total fees  
13 of \$30,570.00.

14 8. During the Motion Period, Diamond McCarthy devoted a significant amount of time to  
15 assisting the Receiver with her efforts to draft, review and revise settlement agreements. Diamond  
16 McCarthy also assisted the Receiver with motions and supporting documents to approve  
17 settlements with claimants.

18 9. To the extent necessary, Diamond McCarthy worked with the Receiver's securities  
19 counsel to ensure that the transactions contemplated by the Receiver complied with applicable  
20 securities laws, but Diamond McCarthy performed the bulk of the necessary legal services.

21 10. With respect to the proposed purchase of certain of the Receivership Estate's shares in  
22 United Resource Holdings Group, Inc. ("URHG"), Diamond McCarthy worked with the Receiver  
23 to research and prepare memorandum points and authorities and other supporting documents  
24 regarding approval of the URHG shares and settlement with URHG. Diamond McCarthy also  
25 drafted, reviewed, and revised sale agreements for URHG shares and researched regarding issues  
26 related to the offer for URHG stock.

27 11. With respect to the Receivership Estate's shares in National Gold Mining Corporation  
28 ("National Gold") (directly and through Sierra Gold, LLC ("Sierra Gold")), as well as its interests

1 in Sierra Gold, Diamond McCarthy: drafted and revised a number of complex investor and transfer  
2 agreements, and reviewed those with securities counsel and other counsel, and researched securities  
3 disclosure and other issues related to those agreements.

4 12. Diamond McCarthy also assisted the Receiver with assignment of a deed of trust.

5 Fee Applications/Objections

6 13. Diamond McCarthy performed 9.90 hours of fee applications/objections services for  
7 total fees of \$3,841.20.

8 14. During the Motion Period, Diamond McCarthy worked with the Receiver to prepare  
9 and file the second interim fee request for the Receiver and Diamond McCarthy for the period  
10 April 1, 2020 through June 30, 2020, by way of an Administrative Motion and supporting  
11 declarations.

12 Plan & Disclosure Statement

13 15. Diamond McCarthy performed 13.40 hours of plan and disclosure statement (*i.e.*, plan  
14 implementation) services for total fees of \$5,423.20. Under the Plan and Disclosure Statement  
15 billing category, which is akin to the Receiver's "Plan Implementation" category, Diamond  
16 McCarthy communicated with the Receiver, the CFTC, the Receivership Defendants and their  
17 counsel to assist the Receiver in her efforts to formulate and implement, subject to Court approval,  
18 a consensual plan of distribution.

19 16. Diamond McCarthy devoted a significant amount of time to working with the Receiver  
20 to draft a proposed plan of distribution, motion to approve that plan, and declaration in support.

21 17. Diamond McCarthy worked with the Receiver to review Sierra Gold and National  
22 Gold transfer agreements and correspondence from claimants regarding acceptance of URHG  
23 shares.

24 18. I have read the Motion and the billing statements attached to this declaration. To the  
25 best of my knowledge, information and belief formed after reasonable inquiry, all the fees and  
26 requested in the attached billing statements are true and correct.

27 19. The fees that Diamond McCarthy has charged are reasonable, necessary, and  
28 commensurate with the skill and experience required for the activity performed. Diamond

1 McCarthy's services and time expenditures are reasonable in light of the labor required for the  
2 matters for which Diamond McCarthy was retained and the balancing that must be performed to  
3 efficiently and effectively represent the Receiver. Diamond McCarthy respectfully submits that it  
4 has not expended time unnecessarily and that it has rendered efficient and effective services.

5  
6 I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
7 26<sup>th</sup> day of October, 2020 at Los Angeles, California.

8  
9 */s/ David A. Castleman*

10 \_\_\_\_\_  
11 David A. Castleman  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT 4



**DIAMOND McCARTHY** LLP

**1999 Avenue of the Stars  
11th Floor  
Century City, CA 90067**

**Fed. Tax I.D. #76-0631446**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
Diamond McCarthy LLP  
1999 Avenue of The Stars, Suite 100  
Los Angeles, CA 90067

Invoice 35267  
October 15, 2020

ID: 2818-00011 - KBP

Re: Case Administration-Denari

For Services Rendered Through 9/30/2020

---

Previous Balance		4,718.00
Payments		-4,718.00
Balance Forward		0.00
Current Fees	1,823.60	
Total Current Charges		1,823.60
<b>Total Due</b>		<b>1,823.60</b>

---

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00011 - KBP  
 Re: Case Administration-Denari

October 15, 2020  
 Invoice 35267  
 Page 2

**Fee Recap**

		<b>Hours</b>	<b>Rate/Hour</b>	<b>Amount</b>
Sheryl P. Giugliano	Partner	4.70	388.00	1,823.60
<b>Totals</b>		<b>4.70</b>		<b>1,823.60</b>

**Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/06/20	SPG	Begin drafting Receiver's second status report.	1.30	388.00	504.40
07/07/20	SPG	Continue drafting second status report (1.3); revise draft report for review by Receiver (.4); correspondence to Receiver regarding same (.1).	1.80	388.00	698.40
07/08/20	SPG	Review revised second status report and correspondence from Receiver (.3); further revise report (.4); correspondence to Receiver regarding same (.1).	0.80	388.00	310.40
07/14/20	SPG	Status call with Receiver and Defendants and their counsel regarding claims, plan issues, asset issues and next steps for plan.	0.20	388.00	77.60
07/14/20	SPG	Review and respond to correspondence from D. Castleman regarding status of third party agreements, motions to be filed simultaneously regarding settlements, sales, and the plan.	0.20	388.00	77.60
07/28/20	SPG	Revise second status report to incorporate fee request information (.3); correspondence to Receiver regarding same (.1).	0.40	388.00	155.20
<b>Total Fees</b>			<b>4.70</b>		<b>1,823.60</b>



**Diamond McCarthy LLP**

---

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
I.D. 2818-00011 - KBP  
Re: Case Administration-Denari

October 15, 2020  
Invoice 35267  
Page 3

---

**Total Fees and Disbursements**                    **1,823.60**  
**Total Current Charges**                                **1,823.60**

---

*The above amount may not include third party expenses for which we have not yet been billed.  
REMITTANCE WITHIN 20 DAYS IS APPRECIATED*



**DIAMOND McCARTHY** LLP

**1999 Avenue of the Stars  
11th Floor  
Century City, CA 90067**

**Fed. Tax I.D. #76-0631446**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
Diamond McCarthy LLP  
1999 Avenue of The Stars, Suite 100  
Los Angeles, CA 90067

Invoice 35268  
October 15, 2020

ID: 2818-00014 - KBP

Re: Asset Disposition-Denari

For Services Rendered Through 9/30/2020

---

Previous Balance		20,352.40
Payments		-20,352.40
Balance Forward		0.00
Current Fees	30,570.00	
Total Current Charges		30,570.00
<b>Total Due</b>		<b>30,570.00</b>

---

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00014 - KBP  
 Re: Asset Disposition-Denari

October 15, 2020  
 Invoice 35268  
 Page 2

**Fee Recap**

		<b>Hours</b>	<b>Rate/Hour</b>	<b>Amount</b>
Sheryl P. Giugliano	Partner	15.00	388.00	5,820.00
David A. Castleman	Senior Counsel	49.50	500.00	24,750.00
<b>Totals</b>		<b>64.50</b>		<b>30,570.00</b>

**Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/01/20	DAC	Call with S. Giugliano regarding plan motions (.5); revisions to Sierra Gold agreement, National Gold investor agreement, memorandum of points and authorities regarding approval (3.6); URHG agreement (1.0).	5.10	500.00	2,550.00
07/01/20	SPG	Review Receiver's revisions to motion to approve URHG settlement (.3) and further revise motion accordingly (.4).	0.70	388.00	271.60
07/01/20	SPG	Correspondence with Receiver regarding Springbok in Nevada real property deed and title and related issues for follow-up with receivership defendants; correspondence to counsel to receivership defendants regarding same.	0.20	388.00	77.60
07/01/20	SPG	Correspondence with Receiver regarding declaration in support of motion to approve settlement with claimant (.2); review revisions by Receiver and incorporate accordingly (.3).	0.50	388.00	194.00
07/01/20	SPG	Review correspondence from Receiver regarding motion to approve GC claim settlement (.1); review revised motion (.3); draft declaration in support (.9); correspondence to Receiver regarding same (.1).	1.40	388.00	543.20
07/02/20	DAC	Revisions to Capson settlement agreement (.8); revisions to motion and memorandum of points and authorities to approve Capson settlement (1.2); revisions to motion to approve sale of URHG shares (1.0); research regarding same (1.5); attention to emails regarding same (.2).	4.70	500.00	2,350.00
07/02/20	SPG	Revise motion to sell URHG shares (.3); correspondence to D. Castleman regarding same (.1).	0.40	388.00	155.20
07/02/20	SPG	Further revise motion to approve URHG settlement and declaration in support; correspondence to Receiver regarding same.	0.30	388.00	116.40
07/02/20	SPG	Revise settlement agreement with URHG to conform to motion changes (.4); draft declaration in support of motion (.8); correspondence to Receiver regarding same (.1).	1.30	388.00	504.40
07/02/20	SPG	Correspondence with Receiver regarding revisions to motion to approve settlement agreement with URHG (.2); revise agreement, and declaration accordingly (.3).	0.50	388.00	194.00
07/02/20	SPG	Correspondence with Receiver regarding Email from Receivership defendants counsel and potential strategy for real property.	0.20	388.00	77.60

## Diamond McCarthy LLP

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00014 - KBP  
 Re: Asset Disposition-Denari

October 15, 2020

Invoice 35268

Page 3

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/02/20	SPG	Review revised settlement agreement with G.C. by D. Castleman (.3); revise motion to approve agreement and declaration in support accordingly (.4); correspondence to Receiver regarding same (.1).	0.80	388.00	310.40
07/02/20	SPG	Correspondence from Receiver regarding further revisions to settlement agreement wiry GC, motion to approve agreement, and declaration in support.	0.10	388.00	38.80
07/03/20	DAC	Revisions to Sierra Gold agreement (1.2); analysis of process (.8); draft outline of same (.5); revisions to URHG transfer agreement (1.4); revisions to National Gold transfer agreement (1.4); email same to F. Koenen (.1)	5.40	500.00	2,700.00
07/03/20	SPG	Correspondence with Receiver regarding legal strategy for motion to sell URHG shares.	0.20	388.00	77.60
07/06/20	DAC	Review and implement F. Koenen comments to URHG agreement and draft summary of same (1.2); analysis of URHG share amounts (.5); review and implement F. Koenen comments to Sierra Gold agreements (.3); finalize URHG transfer agreements, draft transmittal email regarding same, and email claimants regarding same (2.6); respond to client questions regarding Sierra and National Gold agreements (.3).	4.90	500.00	2,450.00
07/06/20	SPG	Review correspondence from Receiver and D. Castleman regarding revisions to motion to sell URHG shares and related securities open issues.	0.20	388.00	77.60
07/06/20	SPG	Review revisions by Receiver to motion to approve sale of URHG shares.	0.20	388.00	77.60
07/06/20	SPG	Review revised sale agreement for URHG shares.	0.20	388.00	77.60
07/06/20	SPG	Review securities counsel's revisions to URHG share transfer agreement; review correspondence from D. Castleman regarding same.	0.30	388.00	116.40
07/06/20	SPG	Review correspondence from Receiver regarding motion and supporting documents to approve settlement with URHG and subsidiaries; correspondence to H. Choi regarding finalizing motion papers.	0.10	388.00	38.80
07/06/20	SPG	Review securities counsel's revisions to Settlement agreement with GC claimant.	0.30	388.00	116.40
07/07/20	DAC	Review URHG stock transfer information to correct and tie out numbers (.6); review and comment on distribution plan (.5).	1.10	500.00	550.00
07/09/20	DAC	Emails with various claimants regarding agreements to sign and various distribution plan details (1.2); calls and emails with B. Walsh regarding Sierra Gold (.6).	1.80	500.00	900.00
07/10/20	DAC	Emails with B. Cochrane regarding claimant agreement.	0.40	500.00	200.00
07/14/20	DAC	Call with B. Walsh regarding distribution plan (.4); create chart of various filings and review documents regarding distribution and draft list of open items and emails regarding same (2.5); assemble signature pages received and email same to H. Choi (.3).	3.20	500.00	1,600.00

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00014 - KBP  
 Re: Asset Disposition-Denari

October 15, 2020  
 Invoice 35268  
 Page 4

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/14/20	SPG	Correspondence with Receiver regarding declaration in support of motion to sell URHG shares.	0.10	388.00	38.80
07/14/20	SPG	Begin drafting declaration in support of motion to sell URHG shares.	0.70	388.00	271.60
07/14/20	SPG	Correspondence regarding assignment of deed of trust and recording same.	0.20	388.00	77.60
07/14/20	SPG	Revise declaration in support of settlement with URHG and subsidiaries.	0.30	388.00	116.40
07/15/20	DAC	Call with A. Maeda regarding Sierra Gold (.2); emails with B. Walsh, A. Maeda and others regarding Sierra Gold plan (.8); revisions to Sierra Gold and Capson agreements and related emails (2.7).	3.70	500.00	1,850.00
07/15/20	SPG	Continue drafting declaration in support of motion to sell URHG shares; revise declaration and motion for review by K. Phelps; correspondence to K. Phelps regarding same.	1.90	388.00	737.20
07/15/20	SPG	Correspondence from Receiver regarding assignment of deed of trust and recording same.	0.10	388.00	38.80
07/16/20	SPG	Review correspondence from Receiver and revisions to motion to sell URHG shares and declaration in support; correspondence to Receiver regarding same.	0.30	388.00	116.40
07/16/20	SPG	Draft and revise proposed order for motion to sell URHG shares (.4); correspondence to Receiver regarding same (.1).	0.50	388.00	194.00
07/16/20	SPG	Draft proposed order for motion to approve settlement with URHG; correspondence to Receiver regarding same.	0.30	388.00	116.40
07/16/20	SPG	Draft proposed order approving motion to approve settlement agreement with claimant (.3); correspondence to Receiver regarding same (.1).	0.40	388.00	155.20
07/17/20	DAC	Revisions to motions to approve the plan and supporting documents and related communications and research.	5.00	500.00	2,500.00
07/17/20	SPG	Review comments by Receiver to draft proposed order approving sale of URHG shares (.1); revise proposed order accordingly (.2); correspondence to Receiver regarding same (.1).	0.40	388.00	155.20
07/17/20	SPG	Review correspondence from Receiver regarding proposed order approving URHG settlement agreement (.1); review settlement agreement and revise proposed order accordingly (.3); correspondence to Receiver regarding same (.1).	0.50	388.00	194.00
07/17/20	SPG	Correspondence from Receiver regarding revisions to motion to approve URHG settlement (.1); revise motion accordingly (.2); correspondence to Receiver regarding same (.1).	0.40	388.00	155.20
07/17/20	SPG	Correspondence from D. Castleman and Receiver regarding sale of URHG shares.	0.20	388.00	77.60
07/20/20	DAC	Revisions to motion to approve URHG settlement and communications regarding same (1.8); communications with B. Walsh and A. Maeda regarding signature pages (.0.3); review G Capson agreement and email same to K. Phelps (.2).	2.30	500.00	1,150.00

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00014 - KBP  
 Re: Asset Disposition-Denari

October 15, 2020  
 Invoice 35268  
 Page 5

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/22/20	SPG	Correspondence with M. Ziady regarding issues recording assignment of deed of trust.	0.20	388.00	77.60
07/22/20	SPG	Correspondence with Receiver and M. Ziady and review correspondence from service provider concerning efforts to record assignment of deed of trust.	0.30	388.00	116.40
07/23/20	SPG	Review recorded assignment of deed of trust and correspondence with M. Ziady and Receiver regarding same.	0.30	388.00	116.40
07/31/20	DAC	Call with B. Walsh (counsel to receivership defendants) and Receiver regarding status.	0.20	500.00	100.00
08/11/20	DAC	Revisions to URHG settlement agreement and supporting motion, declaration and court order and draft summary of open issues regarding same.	3.00	500.00	1,500.00
08/12/20	DAC	Emails with K. Phelps regarding Reno property transaction and updates to settlement agreement regarding same.	1.20	500.00	600.00
08/21/20	DAC	Review, finalize, and prepare execution copies of third party agreements (3.0); finalize papers for Denari filing and related emails (.5); review Oyler claim and related emails (1.0).	4.50	500.00	2,250.00
08/27/20	DAC	Revisions to motions language regarding URHG settlement (1.0); emails regarding ECF rules and filing procedures (.2).	1.20	500.00	600.00
08/29/20	DAC	Research regarding issues related to offer for URHG stock and emails regarding same.	1.40	500.00	700.00
09/02/20	DAC	Review new SEC Accredited Investor Standard and email same to K. Phelps, and F. Koenen.	0.40	500.00	200.00
<b>Total Fees</b>			<b>64.50</b>		<b>30,570.00</b>

**Diamond McCarthy LLP**

---

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
I.D. 2818-00014 - KBP  
Re: Asset Disposition-Denari

---

October 15, 2020  
Invoice 35268  
Page 6

**Total Fees and Disbursements**                    **30,570.00**  
**Total Current Charges**                                **30,570.00**

---

*The above amount may not include third party expenses for which we have not yet been billed.  
REMITTANCE WITHIN 20 DAYS IS APPRECIATED*



**DIAMOND McCARTHY** LLP

**1999 Avenue of the Stars  
11th Floor  
Century City, CA 90067**

**Fed. Tax I.D. #76-0631446**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
Diamond McCarthy LLP  
1999 Avenue of The Stars, Suite 100  
Los Angeles, CA 90067

Invoice 35269  
October 15, 2020

ID: 2818-00017 - KBP

Re: Fee Applications/Objections-Denari

For Services Rendered Through 9/30/2020

---

Previous Balance		2,599.60
Payments		-2,599.60
Balance Forward		0.00
Current Fees	3,841.20	
Total Current Charges		3,841.20
<b>Total Due</b>		<b>3,841.20</b>

---



**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00017 - KBP  
 Re: Fee Applications/Objections-Denari

October 15, 2020  
 Invoice 35269  
 Page 2

**Fee Recap**

		<b>Hours</b>	<b>Rate/Hour</b>	<b>Amount</b>
Sheryl P. Giugliano	Partner	9.90	388.00	3,841.20
<b>Totals</b>		<b>9.90</b>		<b>3,841.20</b>

**Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/13/20	SPG	Revise Diamond McCarthy time entries to conform to local rules and guidelines.	1.80	388.00	698.40
07/17/20	SPG	Correspondence with Receiver regarding revisions to time entries concerning claimant names (.1); correspondence to K. Rembowski regarding same (.1); correspondence from Receiver and to S. Hughes regarding eliminating costs for data storage (.1).	0.30	388.00	116.40
07/21/20	SPG	Review time entries for Receiver, securities counsel and tax advisors in connection with drafting fee application (.5); begin drafting fee application for Receiver and professionals (2.2).	2.70	388.00	1,047.60
07/22/20	SPG	Continue drafting second interim fee application.	0.90	388.00	349.20
07/23/20	SPG	Revise administrative motion for fees (.5); continue drafting declaration by Receiver in support of same (.4); begin drafting declaration in support of administrative motion by diamond McCarthy (.6).	1.50	388.00	582.00
07/24/20	SPG	Revise declarations in support of fee applications.	0.50	388.00	194.00
07/27/20	SPG	Correspondence with Receiver regarding fee application.	0.10	388.00	38.80
07/28/20	SPG	Draft declaration in support of securities counsel fee request (.5); draft declaration in support of tax advisors fee request (.5); revise administrative motion for fees (.3); correspondence to Receiver regarding same (.1).	1.40	388.00	543.20
07/30/20	SPG	Correspondence with Receiver regarding revised fee administrative motion.	0.20	388.00	77.60
07/30/20	SPG	Revise proposed fee order (.2); correspondence to Receiver regarding same (.1).	0.30	388.00	116.40
07/30/20	SPG	Revise finalized declaration in support of fee application.	0.20	388.00	77.60
<b>Total Fees</b>			<b>9.90</b>		<b>3,841.20</b>

**Diamond McCarthy LLP**

---

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
I.D. 2818-00017 - KBP  
Re: Fee Applications/Objections-Denari

---

October 15, 2020  
Invoice 35269  
Page 3

**Total Fees and Disbursements 3,841.20**  
**Total Current Charges 3,841.20**

---

*The above amount may not include third party expenses for which we have not yet been billed.  
REMITTANCE WITHIN 20 DAYS IS APPRECIATED*



**DIAMOND McCARTHY** LLP

**1999 Avenue of the Stars  
11th Floor  
Century City, CA 90067**

**Fed. Tax I.D. #76-0631446**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
Diamond McCarthy LLP  
1999 Avenue of The Stars, Suite 100  
Los Angeles, CA 90067

Invoice 35270  
October 15, 2020

ID: 2818-00018 - KBP

Re: Plan and Disclosure Statement-Denari

For Services Rendered Through 9/30/2020

---

Previous Balance		11,446.00
Payments		-11,446.00
Balance Forward		0.00
Current Fees	5,423.20	
Total Current Charges		5,423.20
<b>Total Due</b>		<b>5,423.20</b>

---

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00018 - KBP  
 Re: Plan and Disclosure Statement-Denari

October 15, 2020  
 Invoice 35270  
 Page 2

**Fee Recap**

		<b>Hours</b>	<b>Rate/Hour</b>	<b>Amount</b>
Sheryl P. Giugliano	Partner	11.40	388.00	4,423.20
David A. Castleman	Senior Counsel	2.00	500.00	1,000.00
<b>Totals</b>		<b>13.40</b>		<b>5,423.20</b>

**Fees**

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
07/01/20	SPG	Correspondence with Receiver regarding possible revisions to motion to approve plan and additional relief to request.	0.20	388.00	77.60
07/01/20	SPG	Telephone discussion with D. Castleman regarding securities issues in connection with plan of distribution.	0.60	388.00	232.80
07/01/20	SPG	Correspondence from Receiver and to D. Castleman regarding revisions to motion to approve plan.	0.20	388.00	77.60
07/06/20	SPG	Review correspondence from Receiver and claimant regarding accepting URHG shares as credit against allowed claims.	0.10	388.00	38.80
07/07/20	SPG	Review securities counsel's revisions to Sierra Gold and National Gold share transfer agreement (.1); correspondence to Receiver regarding revisions needed to Plan (.1).	0.20	388.00	77.60
07/07/20	SPG	Revise plan of distribution to conform to changes to motion to approve plan and other changes with proposed distribution structure(1.5); correspondence to D. Castleman regarding same (.1).	1.60	388.00	620.80
07/08/20	SPG	Review correspondence between Receiver and CFTC regarding draft plan and other documents (.1); correspondence to Receiver regarding possible further revisions to plan (.1).	0.20	388.00	77.60
07/16/20	SPG	Draft declaration in support of motion to approve plan of distribution (1.6); revise motion to approve plan of distribution (.4); revise declaration for review by Receiver (.3); correspondence to Receiver regarding same (.1).	2.40	388.00	931.20
07/16/20	SPG	Draft proposed order approving plan (.4); correspondence to Receiver regarding same (.1).	0.50	388.00	194.00
07/17/20	SPG	Review correspondence from Receiver providing comments to the proposed order approving plan and related agreements (.1); review motion to approve plan in connection with same (.2); revise proposed order accordingly (.3); correspondence to Receiver regarding same (.1).	0.70	388.00	271.60
07/17/20	SPG	Review correspondence from D. Castleman regarding revisions to proposed order approving plan (.1); review revised proposed order (.1); correspondence to D. Castleman and Receiver regarding same (.1).	0.30	388.00	116.40
07/17/20	SPG	Correspondence from Receiver regarding comments to the motion to approve the plan and declaration in support (.1);	0.90	388.00	349.20

**Diamond McCarthy LLP**

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
 I.D. 2818-00018 - KBP  
 Re: Plan and Disclosure Statement-Denari

October 15, 2020  
 Invoice 35270  
 Page 3

<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
		correspondence to D. Castleman regarding same (.1); review comments to motion and declaration and revise accordingly (.6); correspondence to Receiver regarding same (.1).			
07/20/20	SPG	Correspondence from Receiver regarding exhibits to motion to approve the plan.	0.20	388.00	77.60
07/20/20	SPG	Review correspondence from Receiver and revised declaration in support of motion to approve plan (.3); revise plan and motion to approve plan accordingly (.2); correspondence to Receiver regarding same (.1).	0.60	388.00	232.80
07/20/20	SPG	Review correspondence from Receiver regarding further revisions needed to motion to approve plan (.1); revise motion and declaration in support accordingly (.3); correspondence to Receiver regarding same (.1).	0.50	388.00	194.00
07/21/20	SPG	Prepare for and participate in conference call with CFTC, Receiver and D. Castleman regarding plan terms, claims allowance and distribution and next steps.	1.00	388.00	388.00
07/22/20	SPG	Revise motion to approve plan and declaration in support to incorporate comment by CFTC.	0.20	388.00	77.60
07/23/20	DAC	Assemble, proof, and email CFTC regarding Denari distribution plan motions.	0.80	500.00	400.00
07/24/20	DAC	Email CFTC regarding Denari distribution plan documents.	0.20	500.00	100.00
07/30/20	SPG	Conference call with CFTC and Receiver regarding claims analysis, restitution issues, and plan of distribution.	1.00	388.00	388.00
07/30/20	DAC	Call with C. Metzger and others at CFTC regarding distribution plan.	1.00	500.00	500.00
<b>Total Fees</b>			<b>13.40</b>		<b>5,423.20</b>

**Diamond McCarthy LLP**

---

Counsel, of Kathy Bazoian Phelps, Receivership for CFTC  
I.D. 2818-00018 - KBP  
Re: Plan and Disclosure Statement-Denari

---

October 15, 2020  
Invoice 35270  
Page 4

**Total Fees and Disbursements**                    **5,423.20**  
**Total Current Charges**                                **5,423.20**

---

*The above amount may not include third party expenses for which we have not yet been billed.  
REMITTANCE WITHIN 20 DAYS IS APPRECIATED*