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5 *Successor Receiver*

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

12  
13 SECURITIES AND EXCHANGE  
COMMISSION,

14 Plaintiff,

15 v.

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

19 Defendants, and

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

24 Relief Defendants.  
25  
26  
27  
28

Case No. 3:16-cv-01386-EMC

**RECEIVER'S INTERIM STATUS REPORT  
FOR THIRD QUARTER 2021**

Date: No Hearing Set

Time: No Hearing Set

Judge: Edward M. Chen

1 Kathy Bazoian Phelps, the successor receiver herein (the “Receiver”), hereby files her  
2 Interim Status Report for the Third Quarter 2021. In this past quarter, as set forth herein, the  
3 Receiver completed her distribution of the publicly traded securities to claimants and has converted  
4 all the remaining reserves for those publicly traded securities to cash. The Receiver has also  
5 worked with her advisers to explore options for disposition of the remaining four non-public  
6 securities in the estate, so that the receivership may be concluded and the estate administered as  
7 expeditiously as possible. In this status report, the Receiver summarizes the distributions that have  
8 now been completed and provides an overview of the significant open issues that remain and the  
9 timing of their resolution.

## 10 I. STATEMENT OF FACTS

### 11 A. Procedural History

12 1. On October 11, 2016, the District Court for the Northern District of California  
13 (“Court”) entered a Temporary Restraining Order and Order to Show Cause why Preliminary  
14 Injunction Should Not Be Granted (the “TRO”).

15 2. Pursuant to the TRO, Sherwood Partners was appointed as the temporary receiver  
16 over the assets of SRA Management Associates, LLC, SRA I, LLC, SRA II, LLC, SRA III, LLC,  
17 SRA Management Associates, Clear Sailing Group IV, LLC, Clear Sailing Group V, LLC, Felix  
18 Multi-Opportunity Fund I, LLC, Felix Multi-Opportunity Fund II, LLC, Felix Management  
19 Associates, LLC, NYPA Fund I, LLC, NYPA Fund II, LLC, and NYPA Management Associates,  
20 LLC (the “Receivership Entities”).

21 3. Pursuant to the Revised Order Appointing Receiver entered on February 27, 2019  
22 (the “Receiver Order”), Kathy Bazoian Phelps was appointed as the successor receiver over the  
23 Receivership Entities. Pursuant to Minute Order entered on June 27, 2019, Solis Associates Fund  
24 was substantively consolidated with the Receivership Entities.

25 4. The Court approved the Distribution Plan in this case, with the possibility for  
26 potential future adjustments relating to Failed Investment claims and the claim of Joshua Cilano,  
27 and an Amended Order was entered on May 25, 2020 [Doc. 613].

28 5. Following Court approval of the Plan, the Receiver has met with the Investor

1 Advisory Committee on a number of occasions regarding implementation of the Plan. They have  
2 discussed the disposition of both the publicly traded securities as well as the pre-IPO securities.

3 6. On April 23, 2021, the Receiver and her counsel moved to the Raines Feldman  
4 LLP law firm (“Raines Feldman”). On April 28, the Receiver filed a motion to employ Raines  
5 Feldman as counsel retroactive to April 23 [Doc. 652]. On May 10, 2021, the Court granted the  
6 motion, and terminated Diamond McCarthy as counsel as of April 22. The Receiver continues to  
7 update her new website at [www.raineslaw.com/saddle-river-receiver](http://www.raineslaw.com/saddle-river-receiver) regarding the filings in the  
8 case and the status of upcoming matters.

9 **B. Summary of Cash and Asset Distributions**

10 7. On July 13, 2020, the Receiver filed a motion for court approval of the first interim  
11 distribution of publicly traded securities (Bloom Energy, Cloudera, Dropbox, Lyft, MongoDB,  
12 Pinterest, Snapchat and Uber) [Doc. 617], in which the Receiver attached schedules for the sale of  
13 publicly traded securities to fund the Plan Fund and Tax Holding Accounts, the percentage of  
14 securities to be held in an administrative reserve pending the final resolution of tax liabilities of  
15 the estate, and the distribution of securities to Class 4 Claimants. The Court approved the motion  
16 on July 20, 2020 [Doc. 619]. Following the Court’s approval of the motion, the Receiver  
17 instructed her broker to sell the appropriate amount of publicly traded securities and has worked  
18 with her counsel and brokerage firm to engage in the lengthy process of distributing the publicly  
19 traded securities to claimants, as set forth in more detail herein. That distribution is complete,  
20 including the slight modification to the Plan on behalf of the ELIV Group, which is the subject of  
21 a restitution order by the United States Attorney for the Northern District of New York [Doc.  
22 627].

23 8. At the end of September 2020, Palantir Technologies, Inc. (“Palantir”) prepared to  
24 go public via a direct listing. As part of that process, the Receiver entered into a lock-up  
25 agreement upon obtaining Court approval to do so [Doc. 626], and thereafter transferred  
26 approximately 20% of the shares that were unrestricted to her brokerage account. The Receiver  
27 instructed her broker to sell sufficient shares to fund the Plan Fund and Tax Holding Account  
28 pursuant to the Plan. That sale of 966,995 shares was completed at the beginning of October,

1 leaving 4,773,254 Palantir shares in the estate.

2 9. In November 2020, the Receiver made a motion to make an interim cash  
3 distribution to Class 3 claimants, in the amount of 80% of their claims, or a total of  
4 \$7,721,752.95. The Court approved that motion on November 9, 2020 [Doc. 631], and the  
5 Receiver promptly began making distributions thereafter. Those distributions are complete. The  
6 remaining 20%, a total of \$1,930,438.28, remain open Class 3 claims. The Receiver expects to  
7 pay the remaining amount on the Class 3 claims once the tax liabilities of the Receivership are  
8 resolved, assuming there are sufficient funds to do so.

9 10. In February 2021, the Receiver made a motion to distribute the remaining Palantir  
10 shares, after selling those necessary to fund the Tax Holding Account and the newly created  
11 Palantir Administrative Reserve, a slight modification to the Plan to hold the reserve as cash  
12 instead of stock, which allowed for more shares to be distributed to claimants [Doc. 638]. This  
13 Court approved the motion on February 26, 2021 [Doc. 642]. Of the 4,773,254 shares remaining  
14 in the estate, (a) 1,052,465 shares were sold to fund the Tax Holding Account to pay known tax  
15 liabilities of the Receivership; (b) 716,003 shares were sold to fund the Palantir Administrative  
16 Reserve for potential tax liabilities of the Receivership; and (c) 3,004,786 shares were allocated  
17 for distribution to claimants. Per the ELIV court order [Doc. 627], the 29,618 shares that would  
18 have been otherwise distributed to ELIV were also sold and the proceeds distributed to the court  
19 overseeing the ELIV restitution fund, leaving 2,975,168 shares to distribute. The Receiver  
20 distributed 2,952,878 shares in the prior quarter and distributed the remaining 22,290 in the  
21 second quarter. There are no more Palantir Shares left in the estate, and the Palantir  
22 Administrative Reserve has \$13,130,352.23 in cash as of September 30, 2021.

23 11. On May 24, 2021, soon after the lockup period for Airbnb Inc. (“Airbnb”) expired,  
24 the Receiver received into the estate’s brokerage account 22,250 unrestricted shares of Airbnb,  
25 representing the entirety of the estate’s Airbnb shares. On May 25, 2021, the Receiver made a  
26 motion to distribute the Airbnb shares, after selling those necessary to fund the Plan Fund, the  
27 Tax Holding Account and the newly created Airbnb Administrative Reserve, a slight modification  
28 to the Plan to hold the reserve as cash instead of stock, which allowed for more shares to be

1 distributed to claimants [Doc. 657]. This Court approved the motion on June 6, 2021 [Doc. 659].  
2 The Receiver sold 8,626 shares of Airbnb on June 7, 2021, and distributed the remaining 13,624  
3 shares to claimants by June 11, 2021. There are no more Airbnb shares left in the estate, and the  
4 Receiver has transferred the proceeds of the sale to the Plan Fund, the Tax Holding Account, and  
5 the Airbnb Reserve Account that has been established. The Airbnb Reserve holds \$118,172.34 as  
6 of September 30, 2021. The Receiver is also preparing to make the estimated payment concerning  
7 the Airbnb gains in the third quarter.

8 12. In June 2021, having realized a substantial gain, the Receiver, in consultation with  
9 her tax advisers, made an estimated tax payment of \$21,900,000 to the United States Treasury and  
10 an estimated tax payment of \$5,900,000 to the California Franchise Tax Board, largely due to the  
11 gains from the disposition of the Palantir shares.

12 13. On August 6, 2021, the Receiver filed a motion with the Court to convert the  
13 remaining administrative stock reserves of the publicly traded securities (Bloom Energy,  
14 Cloudera, Dropbox, Lyft, MongoDB, Pinterest, Snapchat and Uber) to cash as needed, and to  
15 distribute the remaining shares to claimants [Doc. 663]. The Court granted the motion on August  
16 22, 2021 [Doc. 665]. The Receiver completed the sale and distribution within the following four  
17 weeks, and the receivership estate is no longer in possession of publicly traded securities. The  
18 cash reserves generated upon the sale on account of these publicly traded securities is  
19 \$1,115,569.30 and is currently being held in the Tax Holding Account until the filing of the 2021  
20 tax return, as discussed below in Part IV.D.

21 14. Other than the administrative reserve for the securities distributed in 2020 and  
22 2021, the estate holds shares in four pre-IPO securities (Addepar, Evernote, Lookout, and  
23 ZocDoc). The Receiver is currently working with her advisers, and in consultation with the SEC  
24 and the IAC, to explore possibilities for monetizing those securities, such that the value may be  
25 distributed to claimants in those securities.

## 26 **II. ASSET ADMINISTRATION**

### 27 **A. Ben Sabrin and the MongoDB Shares**

28 The Receiver has completed litigation against Ben Sabrin to return the 6,250 shares of

1 MongoDB, or the value thereof, that he owed to the estate. After lengthy negotiation, the parties  
 2 came to a resolution, which was approved by the Court. Pursuant to the settlement agreement,  
 3 Sabrin retained the shares and will pay \$402,000 to the estate, of which \$300,666.66 has been  
 4 paid and the remainder of which will be paid in installments, the last of which is due on October  
 5 1, 2022. The Receiver executed the settlement agreement with Ben Sabrin and moved this Court  
 6 for approval of that agreement [Doc. 644] on March 19, 2021. The Court approved the settlement  
 7 on March 24 [Doc. 646]. The Receiver intends to allocate to the settlement agreement to the  
 8 MongoDB tax reserves, as distribution of the remaining MongoDB shares to Claimants will likely  
 9 result in substantial tax consequences.

#### 10 **B. Summary of Securities Holdings**

11 The following chart identifies the net beneficial shares owned by the estate of all known  
 12 securities at the time of approval of the Plan and the claims against them:

13 <b>Company</b>	<b>Total Shares</b>	<b>Shares Claimed by Investors<sup>1</sup></b>
14 Addepar, Inc.	995,509	995,509
15 Airbnb	22,250	22,250 <sup>2</sup>
16 Bloom Energy Inc.	147,429	139,576
17 Cloudera, Inc.	37,639	37,639
18 Dropbox, Inc.	46,000	45,999
19 Evernote Corp.	96,108	88,287
20 Lookout, Inc.	174,798	171,797
21 Lyft, Inc.	9,479	9,479
22 MongoDB Inc.	20,000	22,175
23 Palantir Inc.	5,740,249	5,895,855
24 Pinterest, Inc.	23,206	23,206
25 Snap, Inc.	31,172	31,173
26 Uber Inc.	500	500
27 ZocDoc, Inc.	21,599	21,598

28 <sup>1</sup> For Bloom Energy (7 shares), Dropbox (2 shares), MongoDB (4 shares), and Palantir (2 shares),  
 the Receiver made slight adjustments to the totals due to the fact that the original summations  
 contained minor rounding errors. For each individual claimant, the total number of allowed shares  
 are exactly the same as the claim information on the Receiver's website; only the summations have  
 been revised.

<sup>2</sup> Reflects a 2:1 split.

1 All of the publicly traded securities have been distributed or sold as of this time, and the  
2 estate continues to hold only the pre-IPO securities for Addepar, Inc., Evernote Corp., Lookout,  
3 Inc., and ZocDoc, Inc.

#### 4 **C. John Bivona Bankruptcy**

5 The Receiver has resolved all issues relating to competing claims to certain funds that were  
6 frozen at TD Bank during the last reporting period and, in connection with the settlement, released  
7 all claims against the bankruptcy estate. The Receiver received two checks from TD Bank in the  
8 amounts of \$84,470.43 and \$216,373.19 pursuant to a settlement which were deposited into the  
9 Receivership checking account. The Receiver has been advised by the SEC that the SEC received a  
10 distribution from the Bivona estate on account of its claim and that the SEC intends to deliver the  
11 funds to the Receiver to hold in the segregated Anne Bivona account to be disbursed at the SEC's  
12 direction at a later date. The SEC has not yet delivered the funds to the Receiver.

### 13 **III. CLAIMS ADMINISTRATION**

14 The claims bar date has passed, and no new claims were filed in the third quarter 2021.  
15 During the third quarter 2020, one investor contacted the Receiver to claim that he had not been  
16 contacted during the claims process, but he has not followed up since. No claim has been allowed  
17 in connection with that inquiry.

18 The distributions on account of allowed claims have been taking place pursuant to the  
19 approved Plan of Distribution as set forth herein.

### 20 **IV. PLAN APPROVAL AND IMPLEMENTATION**

#### 21 **A. Plan Approval and Modifications**

22 The Receiver's primary task in this case was to assist the Court in putting a distribution  
23 plan in place and then ultimately in implementing that plan. Upon her appointment on February  
24 27, 2019, the Court asked the Receiver to provide her Comments to the versions of plans  
25 previously submitted by the SEC and the SRA Funds Investor Group. The Receiver did so and  
26 also proposed her own Plan based upon the history in the case prior to her appointment and the  
27 Court's comments based on its understanding of the facts in the case. The Receiver met and  
28 conferred extensively with the SEC, the Investor Group and counsel for Progresso Ventures in

1 advance of filing her Plan and, with some relatively minor exceptions, all parties were in general  
2 agreement with the structure of the Plan. After a series of hearings and substantial briefing, the  
3 Court granted the motion approving the Receiver's Plan on May 25, 2020, and disposed of  
4 various other open issues [Doc. 613].

5 The Court-approved Plan, in summary, provides that investors will receive some of their  
6 claimed shares back if and only if an IPO event has occurred for a particular company in which  
7 shares are claimed, and creditors will receive some cash back. Some of the shares held in the  
8 estate will be liquidated to create the Plan Fund as described in the Plan, which will be used to  
9 pay cash to administrative and unsecured creditors. Some of the shares will be liquidated to pay  
10 the tax liability associated with the sale and distribution of the shares. Shares that remain pre-IPO  
11 at this time will not yet be distributed or liquidated without any modification to the Plan as the  
12 Plan requires that the shares first have an IPO or liquidity event prior to distribution.

13 The Plan also provided that the estate was allowed retain some of the shares of the  
14 publicly traded securities in an administrative stock reserve after the first interim distribution,  
15 until the final tax liabilities of the estate could be determined. In February 2021, the Receiver  
16 determined, when planning to distribute Palantir, that she could distribute far more shares if the  
17 administrative reserve was held as cash, as the estate would not be exposed to price fluctuations in  
18 the stock. The Receiver therefore moved to modify the Plan as such, and no opposition was  
19 received. In making the motions to distribute Airbnb in June 2021 and the remaining publicly  
20 traded securities in August 2021, the Receiver also sought authority to implement the  
21 administrative cash reserve with respect to all ten publicly traded securities, which authority was  
22 granted.

### 23 **B. Sale or Distribution to Class 4 Claimants of Publicly Traded Securities**

24 As set forth above, there were ten publicly traded securities in the estate that have been  
25 sold for the benefit of the estate or distributed to Class 4 claimants: Airbnb, Bloom Energy,  
26 Cloudera, Dropbox, Lyft, MongoDB, Palantir, Pinterest, Snapchat, and Uber (the "Publicly  
27 Traded Securities"). Two of those, Palantir and Airbnb, had a liquidity event after the Plan was  
28 approved and were sold or distributed in March 2021 and June 2021, respectively. The other eight

1 were initially sold or distributed in July and August 2020 soon after the Plan was approved, and  
 2 the administrative stock reserve for those eight was sold or distributed in August 2021. The  
 3 disposition of the Publicly Traded Securities can be summarized as follows:

4 Stock	Shares Owned by Estate	Shares Distributed to Investors	Shares sold for Plan Fund / Tax Reserves	Proceeds from Sale	Contribution to Plan Fund	Amount for Taxes and Reserves
5 Airbnb	22,250	13,624	8,626	\$1,275,805.29	\$252,796.20	\$1,023,009.09
6 Bloom	147,428	71,123	76,305	\$1,392,017.38	\$1,117,350.00	\$274,667.38
7 Cloudera	37,639	20,904	16,735	\$196,212.91	\$191,174.00	\$5,038.91
Dropbox	46,000	17,569	28,431	\$664,204.53	\$535,038.00	\$129,166.53
Lyft	9,479	6,926	2,553	\$81,128.28	\$75,227.00	\$5,901.28
8 MongoDB	20,000	11,618	8,382	\$1,863,654.12	\$300,697.00	\$1,562,957.12
Palantir	5,740,249	3,004,786	2,735,463	\$53,897,053.89	\$9,765,512.00	\$44,131,541.89
9 Pinterest	23,206	14,846	8,360	\$233,610.82	\$165,141.00	\$68,469.82
Snapchat	31,172	18,953	12,219	\$537,402.31	\$164,946.00	\$372,456.31
10 Uber	500	321	179	\$5,677.30	\$5,816.00	-\$138.70

11 The Plan provides that a distribution schedule for each investment company was to be  
 12 filed with the Court and approved before any distributions are made, and the Receiver did so for  
 13 each of the four distribution motions. The Receiver also created final distribution schedules for  
 14 each of the ten Publicly Traded Securities, showing the gross investment, allowed shares, shares  
 15 sold, and shares distributed for each investor, anonymized by investor ID. Copies of those final  
 16 schedules, and a copy of the Distribution Plan, are available on the Claims and Distributions  
 17 section of the Receiver's website at <https://www.raineslaw.com/saddle-river-receiver/claims/>.

18 A number of claimants raised questions as to the appropriate tax basis of the shares that  
 19 were distributed to them, especially given that the information provided by Wells Fargo did not  
 20 necessarily reflect the investor's individual basis nor could it reasonably do so. The Court  
 21 therefore ordered as follows: "Claimants are hereby instructed that they are required to determine  
 22 their own tax basis with respect to any shares actually distributed to them, regardless of any  
 23 information provided via the Depository Trust Company transfer by Wells Fargo Securities or any  
 24 other broker of the estate." [Doc. 665 ¶ 9].

### 25 C. Distribution of Cash to Class 3 Claimants

26 The Plan also allowed class 3 cash claims for a total amount of \$9,652,191.23. After the  
 27 sale of Palantir to contribute to the Plan Fund in October 2020, the Plan Fund had over \$12  
 28 million. The Receiver distributed 80% of the Class 3 claims, or \$7,721,752.95, to claimants

1 pursuant to the Court's order dated November 9, 2020 [Doc. 631]. The remainder of the Plan  
2 Fund is intended to be used to satisfy Class 1 administrative claims and the final 20% of the Class  
3 3 cash claims. At present, the Receiver anticipates that she will be able to make a final  
4 distribution on those Class 3 cash claims once the final tax liabilities of the estate are determined,  
5 provided that there is no significant increase in those tax liabilities.

#### 6 **D. Remaining Items to Implement**

7 The Court approved the distribution plan motion and decided most of the open issues in its  
8 ruling on May 25, 2020 [Doc. 613]. However, the Court deferred ruling on two issues raised in  
9 the motion practice concerning the distribution plan: (1) how to treat any tax benefits generated  
10 by the Failed Investments, and (2) whether to approve the claim of Joshua Cilano, which if  
11 approved would be a Class 6 claim and therefore would only be evaluated if there are sufficient  
12 funds to distribute to a putative Class 6 [Doc. 613, ¶¶ 5, 8].

13 As to the first issue left open by the Court, the Receiver expects that the gains generated  
14 by the sale and distribution of Palantir and other securities will allow the Receiver to determine  
15 the tax benefit generated by the Failed Investments and other securities after the 2021 tax return is  
16 filed sometime around April 2022. At that time, the Receiver will consult with the SEC and the  
17 IAC to determine whether to modify the Plan to account for the tax benefits provided by the  
18 Failed Investments and other securities and will propose a course of action. Because the expected  
19 tax liabilities for 2021 will then be final, the Receiver may also at that time finalize the  
20 administrative cash reserves for each of the publicly traded securities and propose how to allocate  
21 funds currently held in the Tax Holding Account among those reserves.

22 As to the second issue left open by the Court, the Receiver is also currently analyzing the  
23 potential Cilano claim but does not anticipate being able to determine if there are sufficient funds  
24 for a Class 6 claim until all the tax liabilities of the receivership estate are resolved, which will  
25 likely be no earlier than 2026.

26 When the 2021 tax return is filed in April 2022, the three-year audit period will begin for  
27 the Internal Revenue Service (IRS) to review and challenge that return. If that period passes and  
28 there is no material change to the final tax liabilities to the estate, the Receiver will be in a

1 position to distribute the remainder of the administrative reserves for the Publicly Traded  
2 Securities to Class 4 claimants (subject to any equitable adjustment), as well as a distribution to  
3 Class 3 claimants. The timing and amount of such distribution will be subject to a specific motion  
4 for approval by the Court.

5 The Receiver is also evaluating whether she will be able to dispose of any or all of the  
6 four non-public securities that remain: Addepar, Evernote, Lookout, and ZocDoc. Some of those  
7 securities are held on forward contracts, and some have had little to no secondary market activity  
8 in recent years. The Receiver has consulted with SEC and the IAC on the best way to handle  
9 those four investments and will continue to do so. Any disposition of any of those securities, and  
10 any resulting modification of the Plan, will be the subject of a further motion to this Court for  
11 approval, and the Receiver will take a holistic view of the equities involved in coming up with  
12 any proposal in consultation with the SEC and the IAC.

#### 13 **V. CASH RESERVES AND ESTIMATED TAX PAYMENTS**

14 Last year, the loss carryforwards from failed investments did not require the estate to  
15 make any estimated or actual tax payments. This year, with the sale of Palantir and Airbnb for a  
16 substantial gain, the Receiver was required to make estimated tax payments. Last quarter, the  
17 Receiver paid \$21,900,000 to the Internal Revenue Service and \$5,900,000 to the California  
18 Franchise Tax Board. This quarter, the Receiver paid \$760,000 to the Internal Revenue Service  
19 and \$195,000 to the California Franchise Tax Board. As of September 30, 2021, the Tax Holding  
20 Account had a balance of \$5,578,982.16, although the Receiver estimates that around \$850,000 of  
21 those funds will be used to pay the estimated taxes owed as a result of the second distribution of  
22 publicly traded securities.

23 As of September 30, 2021, the Palantir Administrative Reserve had \$13,130,352.23, the  
24 MongoDB Administrative Reserve had \$300,695.60, and the Airbnb Administrative Reserve had  
25 \$118,172.34. The Tax Holding Account is currently holding the administrative reserves for  
26 Bloom, Cloudera, Dropbox, Lyft, Pinterest, Snapchat, and Uber; as well as the tax benefits from  
27 the failed investments. As stated above, once the tax return for 2021 is filed, and expected tax  
28 liabilities are finalized, the Receiver will propose how to allocate the Tax Holding Account and

1 other reserves, and she will file a motion at that time. After then, those reserves will all continue  
2 to remain available to the estate to satisfy any outstanding tax obligations, and if not needed and  
3 barring any necessary Equitable Adjustment pursuant to the Plan, the Receiver intends to  
4 distribute those reserves to Class 4 claimants once the final tax liabilities of the estate's  
5 disposition of the Publicly Traded Securities is established, pursuant to further Court order.

6 As of September 30, 2021, the estate had \$4,592,711.39 in the Plan Fund, with over  
7 \$250,000 contributed as a result of the Airbnb disposition. The Receiver believes that those  
8 reserves are sufficient to cushion against any potential increased tax liability and is hopeful that  
9 there will be sufficient funds to pay all Class 1 and Class 3 claims in full. It is not presently clear  
10 whether any additional funds will be added to the Plan Fund.

## 11 VI. FINANCIAL REPORTING

12 The Receiver has paid professional fees and costs during this reporting period and has sold  
13 securities which have generated substantial sales proceeds. In order to ensure that the funds of the  
14 estate are fully insured, the Receiver maintained accounts with East West Bank for the Plan Fund  
15 and Tax Holding account, both of which are associated with a cash sweep account so that the  
16 funds are fully insured. The Receiver has also established an account and associated cash sweep  
17 account to hold the Palantir Administrative Reserve, the MongoDB Administrative Reserve, and  
18 the Airbnb Administrative Reserve. A detailed listing of each financial transactions during the  
19 third quarter of 2021 is attached hereto as Exhibit "1."

20  
21 DATED: October 29, 2021

By: /s/ Kathy Bazoian Phelps  
Kathy Bazoian Phelps  
Successor Receiver

# EXHIBIT 1

**Receivership Estate of SRA Management Associates, LLC et al**  
**3rd Quarter 2021 - Cash Receipts and Disbursements**

**Checking #0063**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$6,174.82</b>
9/14/2021	transfer from brokerage	\$1.55		\$6,176.37
9/30/2021	Ending Balance			<b>\$6,176.37</b>

**Brokerage #2849 (Brokerage with Stocks and Mutual Fund)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance (Cash Sweep Only)			<b>\$1,275,857.70</b>
7/13/2021	Transfer to East West Bank		\$1,275,831.90	\$25.80
7/13/2021	Wire Fee		\$30.00	<b>(\$4.20)</b>
7/14/2021	Interest	\$4.54		\$0.34
8/24/2021	Sale of Bloom (THA)	\$269,068.55		\$269,068.89
8/24/2021	Sale of Dropbox (THA)	\$130,424.09		\$399,492.98
8/24/2021	Sale of Dropbox (Eliv)	\$14,982.00		\$414,474.98
8/24/2021	Sale of Lyft (THA)	\$5,070.97		\$419,545.95
8/24/2021	Sale of MongoDB (THA/Eliv)	\$283,808.32		\$703,354.27
8/24/2021	Sale of Pinterest (THA)	\$46,089.14		\$749,443.41
8/24/2021	Sale of Snapchat (THA)	\$377,319.23		\$1,126,762.64
8/24/2021	Sale of Cloudera (THA)	\$4,945.63		\$1,131,708.27
8/31/2021	Interest	\$1.86		\$1,131,710.13
9/7/2021	Transfer to East West Bank		\$1,115,541.92	\$16,168.21
9/7/2021	Wire to NYND (Eliv Distribution)		\$16,108.83	\$59.38
9/7/2021	Wire Fee		\$30.00	\$29.38
9/7/2021	Wire Fee		\$30.00	<b>(\$0.62)</b>
9/8/2021	Interest	\$2.17		\$1.55
9/14/2021	transfer to WF checking		\$1.55	\$0.00
9/30/2021	Ending Balance (Cash Sweep Only)			<b>\$0.00</b>

**Brokerage #7306 (Anna Bivona funds)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$502,458.27</b>
7/30/2021	Interest	\$4.27		\$502,462.54
8/31/2021	Interest	\$4.27		\$502,466.81
9/30/2021	Interest	\$4.13		\$502,470.94
9/30/2021	Ending Balance			<b>\$502,470.94</b>

**East West #0704 (Tax Holding Account)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$250,000.00</b>
7/7/2021	transfer in from ICS	\$25.00		\$250,025.00
7/7/2021	maintenance fee		\$25.00	\$250,000.00
7/13/2021	transfer from Plan Fund (Airbnb tax reserve)	\$904,836.75		\$1,154,836.75
7/13/2021	transfer to ICS		\$904,836.75	\$250,000.00
7/20/2021	Reverse ICS Fee 2020	\$100.00		\$250,100.00
7/20/2021	Reverse ICS Fee 2021	\$175.00		\$250,275.00
7/20/2021	transfer to ICS		\$275.00	\$250,000.00
7/26/2021	Reverse CMS fee	\$25.00		\$250,025.00
7/26/2021	transfer to ICS		\$25.00	\$250,000.00
9/7/2021	transfer from Wells Fargo (PTS 2nd distrib sale)	\$1,115,541.92		\$1,365,541.92
9/7/2021	IRS -- Airbnb estimated taxes		\$760,000.00	\$605,541.92
9/7/2021	transfer to ICS		\$355,541.92	\$250,000.00
9/15/2021	transfer from ICS	\$195,000.00		\$445,000.00
9/15/2021	CA FTB -- Airbnb estimated taxes		\$195,000.00	\$250,000.00

**Receivership Estate of SRA Management Associates, LLC et al**  
**3rd Quarter 2021 - Cash Receipts and Disbursements**

9/30/2021 Ending Balance **\$250,000.00**

**East West #0697 (Plan Fund)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$250,000.00</b>
7/7/2021	transfer in from ICS	\$25.00		\$250,025.00
7/7/2021	maintenance fee		\$25.00	\$250,000.00
7/13/2021	transfer in from Wells Fargo (Airbnb)	\$1,275,831.90		\$1,525,831.90
7/13/2021	transfer to tax holding account		\$904,836.75	\$620,995.15
7/13/2021	transfer to Airbnb reserve		\$118,172.34	\$502,822.81
7/13/2021	transfer to ICS		\$252,822.81	\$250,000.00
7/20/2021	Reverse ICS Fee 2020	\$100.00		\$250,100.00
7/20/2021	Reverse ICS Fee 2021	\$175.00		\$250,275.00
7/20/2021	transfer to ICS		\$275.00	\$250,000.00
7/26/2021	Reverse CMS fee	\$25.00		\$250,025.00
7/26/2021	transfer to ICS		\$25.00	\$250,000.00
8/4/2021	Transfer from ICS (Prof Fees Part 1 of 2)	\$28,231.09		\$278,231.09
8/4/2021	Payment of Fees to K. Phelps (DM) part 1 of 2		\$2,730.00	\$275,501.09
8/4/2021	Payment of Fees to K. Phelps (RF) part 1 of 2		\$9,027.60	\$266,473.49
8/4/2021	Payment of Costs to K. Phelps (RF)		\$55.50	\$266,417.99
8/4/2021	Payment of Fees to Diamond McCarthy		\$4,149.60	\$262,268.39
8/4/2021	Payment of Costs to Diamond McCarthy		\$178.39	\$262,090.00
8/4/2021	Payment of Fees to Raines Feldman		\$12,090.00	\$250,000.00
8/5/2021	Transfer from ICS (Prof Fees Part 2 of 2)	\$10,146.60		\$260,146.60
8/5/2021	Payment of Fees to K. Phelps (DM) part 2 of 2		\$910.00	\$259,236.60
8/5/2021	Payment of Fees to K. Phelps (DM) part 2 of 2		\$3,009.20	\$256,227.40
8/5/2021	Payment of Fees to Miller Kaplan		\$6,227.40	\$250,000.00
9/30/2021	Ending Balance			<b>\$250,000.00</b>

**East West #1264 (MongoDB Admin Reserve Account)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$249,925.00</b>
7/6/2021	Wire transfer in (Sabrin payment)	\$35,000.00		\$284,925.00
7/6/2021	Wire transfer service charge		\$10.00	\$284,915.00
7/6/2021	Transfer to ICS		\$34,925.00	\$249,990.00
7/7/2021	Transfer from ICS	\$35.00		\$250,025.00
7/7/2021	maintenance fee		\$25.00	\$250,000.00
7/20/2021	Reverse ICS Fee 2021	\$100.00		\$250,100.00
7/20/2021	Reverse wire transfer fee	\$10.00		\$250,110.00
7/20/2021	transfer to ICS		\$110.00	\$250,000.00
7/26/2021	Reverse CMS fee	\$25.00		\$250,025.00
7/26/2021	transfer to ICS		\$25.00	\$250,000.00
9/23/2021	Wire transfer in (Sabrin payment)	\$15,666.66		\$265,666.66
9/23/2021	transfer to ICS		\$15,666.66	\$250,000.00
9/30/2021	Ending Balance			<b>\$250,000.00</b>

**East West #1257 (Palantir Admin Reserve Account)**

<b>Date</b>	<b>Notes</b>	<b>Deposits</b>	<b>Withdrawals</b>	<b>Balance</b>
7/1/2021	Opening Balance			<b>\$250,000.00</b>
7/7/2021	Transfer from ICS	\$25.00		\$250,025.00
7/7/2021	maintenance fee		\$25.00	\$250,000.00
7/20/2021	Reverse ICS Fee 2021	\$100.00		\$250,100.00
7/20/2021	transfer to ICS		\$100.00	\$250,000.00
7/26/2021	Reverse CMS fee	\$25.00		\$250,025.00

**Receivership Estate of SRA Management Associates, LLC et al**  
**3rd Quarter 2021 - Cash Receipts and Disbursements**

7/26/2021 transfer to ICS		\$25.00	\$250,000.00
9/30/2021 Ending Balance			<b>\$250,000.00</b>

**East West #1432 (Airbnb Admin Reserve Account)**

Date	Notes	Deposits	Withdrawals	Balance
7/1/2021	Opening Balance			<b>\$0.00</b>
7/13/2021	Transfer from Plan Fund Account	\$118,172.34		\$118,172.34
9/30/2021	Ending Balance			<b>\$118,172.34</b>

**East West #1070 (ICS Cash Sweep for Tax Holding Account)**

Date	Notes	Deposits	Withdrawals	Balance
7/1/2021	Opening balance			<b>\$4,262,686.51</b>
7/8/2021	transfer to Plan Fund checking for fee		\$25.00	\$4,262,661.51
7/14/2021	Deposit from checking (Airbnb sale)	\$904,836.75		\$5,167,498.26
7/21/2021	transfer from checking for fee refund	\$275.00		\$5,167,773.26
7/27/2021	transfer from checking for fee refund	\$25.00		\$5,167,798.26
7/30/2021	interest	\$203.19		\$5,168,001.45
8/31/2021	interest	\$219.33		\$5,168,220.78
9/8/2021	transfer from checking (PTS 2nd Distrib sale less abnb IRS pmt)	\$355,541.92		\$5,523,762.70
9/16/2021	transfer to checking (abnb FTB payment)		\$195,000.00	\$5,328,762.70
9/30/2021	interest	\$219.46		\$5,328,982.16
9/30/2021	Ending balance			<b>\$5,328,982.16</b>

**East West #1062 (ICS Cash Sweep for Plan Fund)**

Date	Notes	Deposits	Withdrawals	Balance
7/1/2021	Opening Balance			<b>\$4,127,447.08</b>
7/8/2021	transfer to Plan Fund checking for fee		\$25.00	\$4,127,422.08
7/14/2021	Deposit from checking (Airbnb sale)	\$252,822.81		\$4,380,244.89
7/21/2021	transfer from checking for fee refund	\$275.00		\$4,380,519.89
7/27/2021	transfer from checking for fee refund	\$25.00		\$4,380,544.89
7/30/2021	interest	\$181.39		\$4,380,726.28
8/5/2021	Transfer to checking for prof fees (pt 1 of 2)		\$28,231.09	\$4,352,495.19
8/6/2021	Transfer to checking for prof fees (pt 2 of 2)		\$10,146.60	\$4,342,348.59
8/31/2021	interest	\$184.47		\$4,342,533.06
9/30/2021	interest	\$178.33		\$4,342,711.39
9/30/2021	Ending Balance			<b>\$4,342,711.39</b>

**East West #1120 (ICS Cash Sweep for Palantir Admin Reserve)**

Date	Notes	Deposits	Withdrawals	Balance
7/1/2021	Opening balance			<b>\$12,878,630.20</b>
7/8/2021	Transfer to checking for fee		\$25.00	\$12,878,605.20
7/21/2021	transfer from checking for fee refund	\$100.00		\$12,878,705.20
7/27/2021	transfer from checking for fee refund	\$25.00		\$12,878,730.20
7/30/2021	interest	\$546.52		\$12,879,276.72
8/31/2021	interest	\$546.55		\$12,879,823.27
9/30/2021	interest	\$528.96		\$12,880,352.23
9/30/2021	Ending balance			<b>\$12,880,352.23</b>

**East West #1161 (ICS Cash Sweep for MongoDB Admin Reserve)**

Date	Notes	Deposits	Withdrawals	Balance
7/1/2021	Opening balance			<b>\$0.00</b>
7/7/2021	Transfer from checking	\$34,925.00		\$34,925.00
7/8/2021	transfer to checking for fees		\$35.00	\$34,890.00
7/21/2021	transfer from checking for fee refund	\$110.00		\$35,000.00

**Receivership Estate of SRA Management Associates, LLC et al**  
**3rd Quarter 2021 - Cash Receipts and Disbursements**

7/27/2021 transfer from checking for fee refund	\$25.00	\$35,025.00
7/30/2021 interest	\$1.19	\$35,026.19
8/30/2021 interest	\$1.48	\$35,027.67
9/24/2021 Transfer from checking	\$15,666.66	\$50,694.33
9/30/2021 interest	\$1.57	\$50,695.90
9/30/2021 Ending balance		<b>\$50,695.90</b>

**Cash Position of Receivership Estate of SRA Management Associates, LLC et al**  
**As of September 30, 2021**

**Cash**

WF Checking		\$6,176.37
WF Brokerage		\$0.00
Anna Bivona Funds		\$502,470.94
Plan Fund checking		\$250,000.00
Tax Holding checking		\$250,000.00
Palantir Admin Reserve checking		\$250,000.00
Mongo Admin Reserve checking		\$250,000.00
Plan Fund ICS		\$4,342,711.39
Tax Holding ICS		\$5,328,982.16
Palantir Admin Reserve ICS		\$12,880,352.23
Mongo Admin Reserve ICS		\$50,695.90
Airbnb Reserve		\$118,172.34
	<b>Total</b>	<b>\$24,229,561.33</b>

**Holdbacks (incl thru 2Q 2021)**

Sherwood Partners, Former Receiver		\$144,627.50
Kathy Bazoian Phelps, Receiver (Diamond McCarthy)		\$108,980.07
Kathy Bazoian Phelps, Receiver (Raines Feldman)		\$3,009.20
	<b>Total</b>	<b>\$256,616.77</b>

**Accrued Fees for 3rd Qtr 2021**

Kathy Bazoian Phelps, Receiver		\$29,155.50
Costs		\$0.00
Raines Feldman		\$37,894.65
Costs		\$0.00
Miller Kaplan		\$1,332.00
Costs		\$0.00
Schinner & Shain		\$3,053.25
	<b>Total</b>	<b>\$71,435.40</b>