

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RAINES FELDMAN LLP
David Castleman (State Bar No. 326812)
dcastleman@raineslaw.com
1800 Avenue of the Stars, 12th Floor
Los Angeles, California 90067
Telephone: (310) 440-4100
Facsimile: (310) 691-1367

Counsel to Receiver Kathy Bazoian Phelps

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

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiffs,

v.

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

**DECLARATION OF JULIA
DAMASCO IN SUPPORT OF
ELEVENTH INTERIM
ADMINISTRATIVE MOTION FOR
AN ORDER PURSUANT TO
LOCAL RULE 7-11 FOR THE
APPROVAL OF FEES AND
EXPENSES FOR THE SUCCESOR
RECEIVER, RAINES FELDMAN
LLP, MILLER KAPLAN ARASE
LLP, AND SCHINNER & SHAIN
LLP FROM JULY 1, 2021
THROUGH SEPTEMBER 30, 2021**

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

1 I, Julia Damasco, declare:

2 1. I am a partner at Miller Kaplan Arase LLP (“Miller Kaplan” or the “Firm”),
3 tax advisor for Kathy Bazoian Phelps, the Court appointed Receiver (the “Receiver”) in the
4 case of Securities and Exchange Commission v. Bivona et. al. (the “Action”) before the
5 United States District Court for the Northern District of California (the “Court”). I am an
6 attorney at law licensed to practice in all of the courts of the states of California and
7 Washington, the United States District Court for the Northern District of California and the
8 United States Tax Court. I have personal knowledge of the matters set forth below and if
9 called as a witness, I would and could testify competently to the matters stated herein.

10 2. This declaration is made in support of the Eleventh Interim Administrative
11 Motion for an Order Pursuant to Local Rule 7-11 for the Approval of Fees and Expenses for
12 the Successor Receiver, Raines Feldman LLP, Miller Kaplan Arase LLP, and Schinner &
13 Shain LLP from July 1, 2021 through September 30, 2021 (the “Motion”).

14 3. A true and correct copy of my firm’s invoice reflecting the detailed time
15 entries for the services we provided from July 1, 2021 through September 30, 2021 (the
16 “Motion Period”), is attached hereto as Exhibit “5.” Miller Kaplan incurred fees in the
17 amount of \$1,332.00 during the Motion Period.

18 4. During the Motion Period, the Firm assisted the Receiver in the preparation of
19 the 2021 tax returns, and in calculating and making the estimated tax payments due by
20 September 30, 2021.

21 5. The fees requested are reasonable, necessary, and commensurate with the skill
22 and experience required for the activity performed. Our services and time expenditures are
23 reasonable in light of the labor required for the matters for which we were retained. Miller
24 Kaplan respectfully submits that it has not expended time unnecessarily and that it has
25 rendered efficient and effective services.

26 6. To the best of my knowledge, information and belief formed after reasonable
27 inquiry, all the fees requested in the attached billing statements are true and correct and
28 comply with the Billing Instructions for Receivers in Civil Actions Commenced by the U.S.

1 Securities and Exchange Commission.

2 7. Miller Kaplan has not included in the amount for which reimbursement of
3 costs is sought, amortization of the cost of any equipment, investment or capital outlay.

4

5 I declare under penalty of perjury that the foregoing is true and correct. Executed on
6 this 29th day of October 2021 at San Francisco, California.

7

8



9

Julia Damasco

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

EXHIBIT 5



4123 Lankershim Boulevard
North Hollywood, CA 91602

Kathy Bazoian Phelps

Receivers Account Estate of Saddle River Management (SRA
Receivership)
Raines Feldman, LLP
1800 Avenue of the Stars, 12th Floor
Los Angeles, CA 90067

Invoice: 546076

Client ID: 3012290

Date: 10/14/2021

Due Date: 10/14/2021

For professional services rendered as follows:

<u>DATE</u>	<u>SERVICE</u>	<u>STAFF</u>	<u>HOURS</u>	<u>AMOUNT</u>
Qualified Settlement Fund Services				
08/24/2021	Preparation Preparation of 2021 tax returns.	JAC	3.70	666.00
08/30/2021	Preparation Preparation of quarterly estimated tax 2021 Q3.	JAC	2.40	432.00
08/31/2021	Preparation Preparation of quarterly estimated tax 2021 Q3.	JAC	0.60	108.00
09/02/2021	Preparation Preparation of quarterly estimated tax 2021 Q3.	JAC	0.70	126.00
		Subtotal		1,332.00
		Total for Services		1,332.00
		Invoice Total		\$1,332.00

<u>10/14/2021</u>	<u>09/30/2021</u>	<u>08/31/2021</u>	<u>07/31/2021</u>	<u>06/30/2021+</u>	<u>Total</u>
1,332.00	0.00	0.00	0.00	0.00	\$1,332.00



Schedule of Rates
as of December 1, 2020

STAFF LEVEL	CURRENT RATES PER HOUR	DISCOUNTED RATES PER HOUR
Administrative Staff, SMEs & Project Managers	\$65 – \$210	\$52 – \$168
Accounting Staff	\$120 – \$180	\$96 – \$144
Senior Accounting Staff	\$205 – \$270	\$164 – \$216
Attorney	\$250 – \$350	\$200 – \$280
Partner	\$420 – \$570	\$336 – \$456

Schedule of Rates
as of December 1, 2020

STAFF	CURRENT RATES PER HOUR	DISCOUNTED RATES PER HOUR
Damasco, Jude	\$570	\$456
Damasco, Julia	\$570	\$456
Sanchez, Nicholas	\$420	\$336
Dinuri, Qiva	\$325	\$260
Mandeville, John	\$265	\$212
Corbin, Jessica	\$225	\$180
Ransom, Emily	\$210	\$168
Quinn, Chris	\$170	\$136
Nelson, Nicole	\$80	\$64