

1 **RAINES FELDMAN LITTRELL LLP**
Kathy Bazoian Phelps (State Bar No. 155564)
2 *kphelps@raineslaw.com*
1900 Avenue of the Stars, Suite 1900
3 Los Angeles, California 90067
Telephone: (310) 440-4100
4 Facsimile: (310) 691-1943

5 *Receiver*

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

11 COMMODITY FUTURES TRADING
COMMISSION,

12 Plaintiff,

13 v.

14 DENARI CAPITAL LLC, TRAVIS
15 CAPSON, and ARNAB SARKAR,

16 Defendants.

Case No.: 19-cv-07284-EMC

Assigned to: Hon. Edward M. Chen

**DECLARATION OF NICHOLAS
SANCHEZ IN SUPPORT OF NINTH
ADMINISTRATIVE MOTION FOR AN
ORDER PURSUANT TO LOCAL
RULE 7-11 FOR THE APPROVAL OF
FEES AND EXPENSES FOR
RECEIVER, RAINES FELDMAN
LITTRELL LLP, AND MILLER
KAPLAN ARASE LLP FROM
OCTOBER 1, 2022 TO DECEMBER 31,
2023**

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

1 I, Nicholas Sanchez, declare:

2 1. I am a partner at the firm of Miller Kaplan Arase LLP (“Miller Kaplan”), tax
3 advisor for the Receiver Kathy Bazoian Phelps in this case. I have personal knowledge of the
4 matters set forth below and if called as a witness, I would and could testify competently to the
5 matters stated herein.

6 2. This declaration is made in support of the Ninth Administrative Motion for an
7 Order Pursuant to Local Rule 7-11 for the Approval of Fees and Expenses for the Receiver,
8 Raines Feldman LLP, and Miller Kaplan from October 1, 2022 through December 31, 2023
9 (“Motion”).

10 3. On February 4, 2020, the Court entered an order (Doc. No. 44) authorizing the
11 Receiver to employ Miller Kaplan as the Receiver’s tax advisor (“Employment Order”). I am
12 principally responsible for representing the Receiver in Miller Kaplan’s capacity as tax
13 advisors. I directly supervised the professionals and staff of Miller Kaplan with respect to this
14 representation.

15 4. Miller Kaplan was retained by the Receiver for the limited purpose of serving
16 as tax advisors. Miller Kaplan established separate billing categories for services provided:
17 Tax Return Preparation and Filing; and General Consulting. The billing statements itemizing
18 the services provided by Miller Kaplan during the period October 1, 2022 through December
19 31, 2023 (the “Motion Period”) are attached as Exhibit “4.”

20 5. In the interests of the estate and pursuant to the Employment Order, Miller
21 Kaplan has agreed to provide its services at the same hourly rates as those provided to SEC
22 fair funds in which Miller Kaplan is appointed as the tax administrator.

23 6. Miller Kaplan performed a total of 5.50 hours of services for fees of \$3,360.40
24 during the Motion Period.

25 7. During the Motion Period, Miller Kaplan performed the Preparation and Filing
26 of the 2022 Qualified Settlement Fund Income Tax Return for a total of \$2,500.00, a flat fee.

27 8. During the Motion Period, Miller Kaplan performed 0.40 hours in the category
28

1 of Information Return Reporting Services for a total of \$83.20 in fees.

2 9. During the Motion Period, Miller Kaplan performed 5.10 hours in the category
3 of Qualified Settlement Fund Services, including preparing estimated 2023 quarterly tax
4 payments, for a total of \$777.20.

5 10. During the Motion Period, Miller Kaplan incurred \$50.00 in costs including
6 information reporting forms.

7 11. I have read the Motion and the billing statements attached to this declaration.
8 To the best of my knowledge, information and belief formed after reasonable inquiry, all the
9 fees and expenses requested in the attached billing statements are true and correct.

10 12. The fees that Miller Kaplan has charged are limited, reasonable, necessary, and
11 commensurate with the skill and experience required for the activity performed. Miller
12 Kaplan's services and time expenditures are reasonable in light of the labor required for the
13 matters for which Miller Kaplan was retained and the balancing that must be performed to
14 efficiently and effectively represent the Receiver in the limited capacity as tax advisors. Miller
15 Kaplan respectfully submits that it has not expended time unnecessarily and that it has rendered
16 efficient and effective services.

17

18 I declare under penalty of perjury that the foregoing is true and correct. Executed on
19 this 2nd day of March 2024 at Santa Barbara, California.

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21



22

Nicholas Sanchez

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EXHIBIT 4



4123 Lankershim Boulevard
North Hollywood, CA 91602

Kathy Bazoian Phelps
Denari Capital Receivership Estate
Raines Feldman Littrell LLP
1900 Avenue of the Stars, 19th Floor
Los Angeles, CA 90067

Invoice: 569236

Client ID: 3000610

Date: 07/31/2023

Due Date: 07/31/2023

For professional services rendered as follows:

<u>DATE</u>	<u>SERVICE</u>	<u>STAFF</u>	<u>HOURS</u>	<u>AMOUNT</u>
Preparation and filing of the 2022 Qualified Settlement Fund Income Tax Return.				
			Subtotal	2,500.00
Information Return Reporting Services				
01/17/2023	Review Review for information reporting purposes.	JAC	0.20	43.20
01/22/2023	Release for Printing Forms 1099-MISC and 1099-NEC.	ER	0.10	20.00
01/29/2023	Release for Agency Filing 1099-NEC to IRS.	ER	0.10	20.00
			Subtotal	83.20
			Total for Services	2,583.20
Charges				
01/24/2023	Information Reporting 1 Form 1099-NEC, 1 Form 1099-MISC		50.00	50.00
			Subtotal	50.00
			Total for Charges	50.00

Billed Time & Charges	\$2,633.20
Invoice Total	\$2,633.20

PLEASE REMIT PAYMENT VIA WIRE TRANSFER OR CHECK
 ACCORDING TO THE INSTRUCTIONS BELOW:
 WIRE FUNDS TO:

CITY NATIONAL BANK
 400 N. ROXBURY DRIVE, 5TH FLOOR
 BEVERLY HILLS, CA 90210
 ABA NUMBER 122016066 SWIFT CODE CINAUS6L
 BENEFICIARY ACCOUNT NUMBER 113-238313
 BENEFICIARY ACCOUNT NAME: MILLER KAPLAN ARASE LLP

MAKE CHECK PAYABLE TO:

MILLER KAPLAN ARASE LLP
 4123 LANKERSHIM BLVD, NORTH HOLLYWOOD, CA 91602-2828

<u>07/31/2023</u>	<u>06/30/2023</u>	<u>05/31/2023</u>	<u>04/30/2023</u>	<u>03/31/2023+</u>	<u>Total</u>
2,633.20	0.00	0.00	0.00	0.00	\$2,633.20



Schedule of Rates
as of December 1, 2022

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

STAFF	CURRENT RATES PER HOUR	DISCOUNTED RATES PER HOUR
Sanchez, Nicholas	\$420	\$336
Mandeville, John	\$265	\$212
Corbin, Jessica	\$225	\$180
Ransom, Emily	\$210	\$168
Kim, Victor	\$240	\$192
Simpson, Dorothy	\$225	\$180
Maumus, Alla	\$180	\$144
Vega, Cecilia	\$120	\$96
Ortega, Jacqueline	\$115	\$92
Fernandez, Monica	\$115	\$92
Tokhi, Dorona	\$110	\$88
Singh, Manmohit	\$100	\$80



4123 Lankershim Boulevard
North Hollywood, CA 91602

Kathy Bazoian Phelps

Denari Capital Receivership Estate
Raines Feldman Littrell LLP
1900 Avenue of the Stars, 19th Floor
Los Angeles, CA 90067

Invoice: 573411

Client ID: 3000610

Date: 11/30/2023

Due Date: 11/30/2023

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				
09/18/2023	Preparation Update accounting to prepare 2023 Q3 estimate.	DSI	0.80	144.00
09/18/2023	Review Quarterly estimated tax payments 2023 Q3.	JAC	0.30	54.00
09/20/2023	Preparation Update accounting and prepare Q3 estimate.	DSI	0.50	90.00
09/26/2023	Preparation Review and discuss file to prepare 2022 tax return.	DSI	0.30	54.00
09/26/2023	Review	JAC	0.20	36.00
09/27/2023	Preparation Prepare Q3 estimate.	DSI	0.40	72.00
09/27/2023	Review Quarterly estimated tax payments 2023 Q3.	JGM	0.60	127.20
10/06/2023	Preparation Preparation and filing of the 2023 Qualified Settlement Fund Income Tax Return.	JAC	0.30	54.00
		Subtotal		631.20
		Total for Services		631.20

Invoice Total	\$631.20
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PLEASE REMIT PAYMENT VIA WIRE TRANSFER OR CHECK
 ACCORDING TO THE INSTRUCTIONS BELOW:
 WIRE FUNDS TO:

CITY NATIONAL BANK
 400 N. ROXBURY DRIVE, 5TH FLOOR
 BEVERLY HILLS, CA 90210
 ABA NUMBER 122016066 SWIFT CODE CINAUS6L
 BENEFICIARY ACCOUNT NUMBER 113-238313
 BENEFICIARY ACCOUNT NAME: MILLER KAPLAN ARASE LLP

MAKE CHECK PAYABLE TO:

MILLER KAPLAN ARASE LLP
 4123 LANKERSHIM BLVD, NORTH HOLLYWOOD, CA 91602-2828

<u>11/30/2023</u>	<u>10/31/2023</u>	<u>09/30/2023</u>	<u>08/31/2023</u>	<u>07/31/2023+</u>	<u>Total</u>
635.20	0.00	0.00	0.00	2,633.20	\$3,268.40



Schedule of Rates
as of December 1, 2022

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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

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Simpson, Dorothy	\$225	\$180
Maumus, Alla	\$180	\$144
Vega, Cecilia	\$120	\$96
Ortega, Jacqueline	\$115	\$92
Fernandez, Monica	\$115	\$92
Tokhi, Dorona	\$110	\$88
Singh, Manmohit	\$100	\$80



4123 Lankershim Boulevard
North Hollywood, CA 91602

0. 818.769.2010

millerkaplan.com

FED EIN 95-2036255

Denari Capital Receivership Estate
Kathy Bazoian Phelps
Raines Feldman Littrell LLP
1900 Avenue of the Stars, 19th Floor
Los Angeles, CA 90067

Invoice: 701551
Date: 2/29/24
Due Date: 3/30/24
Client ID: 3000610

For professional services rendered as follows:

Description	Hours	Rate	Amount
202979 QSF Estimated Taxes			
12/7/2023:			
Preparation:			
Manmohit Singh:			
Quarterly estimated tax payments 2023 Q4.	1.60	80.00	128.00
Review:			
Jessica Corbin:			
4Q 2023 estimated tax computations.	0.10	180.00	18.00
Total Due			\$146.00

Please remit payment via wire transfer or check according to the instructions below:

Wire/ACH funds to:

City National Bank
ABA Number: 122016066 SWIFT Code: CINAUS6L
Account Number: 113238313
Account Name: Miller Kaplan Arase LLP

Make check payable to:

Miller Kaplan Arase LLP
4123 Lankershim Blvd, North Hollywood, CA 91602-2828

For inquiries send email to AR@millerkaplan.com



Schedule of Rates
as of December 1, 2022

STAFF LEVEL	CURRENT RATES PER HOUR	DISCOUNTED RATES PER HOUR
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