

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) 691-1367

5 *Successor Receiver*

6
7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiffs,

14 v.

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

17 Defendants, and

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

21 Relief Defendants.

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

**DECLARATION OF NICHOLAS
SANCHEZ IN SUPPORT OF
TWENTY-FIRST INTERIM
ADMINISTRATIVE MOTION FOR
AN ORDER PURSUANT TO
LOCAL RULE 7-11 FOR THE
APPROVAL OF FEES AND
EXPENSES FOR THE
SUCCESSOR RECEIVER, RAINES
FELDMAN LITTRELL LLP, AND
MILLER KAPLAN ARASE LLP
FROM JANUARY 1, 2024
THROUGH MARCH 31, 2024**

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

1 I, Nicholas Sanchez, 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, the United
7 States District Court for the Northern District of California and the United States Tax Court. I
8 have personal knowledge of the matters set forth below and if called as a witness, I would
9 and could testify competently to the matters stated herein.

10 2. This declaration is made in support of the Twenty-First Interim
11 Administrative Motion for an Order Pursuant to Local Rule 7-11 for the Approval of Fees
12 and Expenses for the Receiver, Raines Feldman Littrell LLP, and Miller Kaplan Arase LLP
13 for the period of January 1, 2024 through March 31, 2024 (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 January 1, 2024 through March 31, 2024 (the
16 “Motion Period”), is attached hereto as Exhibit “6.” Miller Kaplan incurred fees in the
17 amount of \$1,668.00 and expenses in the amount of \$50.00 during the Motion Period.

18 4. During the Motion Period, the Firm assisted the Receiver in preparation of the
19 estate’s 2023 tax returns and quarterly estimated tax payments for third quarter 2023. The
20 Firm also assisted the Receiver with 2023 annual accounting and 1099s.

21 5. Additionally, Miller Kaplan submitted its invoice for the period October 1,
22 2023 through December 31, 2023 (No. 700062) in the last fee application, which was
23 approved (Dkt. No. 738), however, the fees from this invoice totaling \$762.80 were
24 inadvertently left out of the total requested fees. *See* Dkt. No. 737-2. Miller Kaplan therefore
25 resubmits the invoice (No. 700062) with this fee application. A true and correct copy of my
26 firm’s invoice reflecting the detailed time entries for the services we provided from October
27 1, 2023 through December 31, 2023 (No. 700062), is attached hereto as Exhibit “7.”

28

EXHIBIT 6



4123 Lankershim Boulevard
North Hollywood, CA 91602

0. 818.769.2010

millerkaplan.com

FED EIN 95-2036255

Receivers Account Estate of Saddle River Management
(SRA Receivership)
Kathy Bazoian Phelps
Raines Feldman Littrell LLP
1900 Avenue of the Stars, 19th Floor
Los Angeles, CA 90067

Invoice: 703210

Date: 4/25/2024
Due Date: 5/25/2024
Client ID: 3012290

For professional services rendered as follows:

| Description | Hours | Rate | Amount |
|--|-------|--------|--------|
| 206124 All Consulting | | | |
| 3/25/2024: Project Management: Jacqueline Ortega: Bank statements filed | 1.00 | 92.00 | 92.00 |
| 206124 All Consulting Total | | | 92.00 |
| 206129 2024 QSF Estimated Taxes | | | |
| 1/9/2024: Bank Stmt Acquisition: Brian Mathew Torres: Bank statement filing | 1.80 | 80.00 | 144.00 |
| 206129 2024 QSF Estimated Taxes Total | | | 144.00 |
| 206130 2023 QSF Tax Return | | | |
| 1/17/2024: Vendor 1099s: Monica Fernandez: Preparation of 2023 annual accounting and 1099s. | 0.80 | 92.00 | 73.60 |
| 1/19/2024: Vendor 1099s: Monica Fernandez: Preparation of 2023 annual accounting and 1099s. | 6.60 | 92.00 | 607.20 |
| 1/22/2024: Vendor 1099s: Jessica Corbin: Review 2023 vendor information reporting. | 0.50 | 180.00 | 90.00 |
| 2/20/2024: Intake: Cecilia Vega: Document Management | 0.10 | 96.00 | 9.60 |
| 3/15/2024: Preparation: Monica Fernandez: Preparation of 2023 tax return. | 2.00 | 92.00 | 184.00 |
| 3/16/2024: Preparation: | | | |

Miller Kaplan Arase LLP

Page 2 of 3

| Description | Hours | Rate | Amount |
|---|-------|--------|-------------------|
| Monica Fernandez: Preparation of 2023 tax return. | 0.50 | 92.00 | 46.00 |
| 3/18/2024: Preparation: Monica Fernandez: Preparation of 2023 tax return. | 3.80 | 92.00 | 349.60 |
| Review: Jessica Corbin: Preparation of 2023 income tax returns. | 0.40 | 180.00 | 72.00 |
| 1/26/2024: Information Returns (25 or less): 2023 Information Returns | | | 50.00 |
| 206130 2023 QSF Tax Return Total | | | 1,482.00 |
| Total Due | | | \$1,718.00 |

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

Detailed Specification**3/25/2024:****Jacqueline Ortega:**

Project Management

1.00

92.00

92.00

1/9/2024:**Brian Mathew Torres:**

Bank Stmt Acquisition

1.80

80.00

144.00

1/17/2024:**Monica Fernandez:**

Vendor 1099s

0.80

92.00

73.60

1/19/2024:**Monica Fernandez:**

Vendor 1099s

6.60

92.00

607.20

1/22/2024:**Jessica Corbin:**

Vendor 1099s

0.50

180.00

90.00

1/26/2024:**Employee not specified:**

Information Returns (25 or less)

1.00

50.00

50.00

2/20/2024:**Cecilia Vega:**

Intake

0.10

96.00

9.60

3/15/2024:**Monica Fernandez:**

Preparation

2.00

92.00

184.00

3/16/2024:**Monica Fernandez:**

Preparation

0.50

92.00

46.00

3/18/2024:**Jessica Corbin:**

Review

0.40

180.00

72.00

Monica Fernandez:

Preparation

3.80

92.00

349.60



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 |

92Schedule 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 |

Client Name
Subject of the Letter (year, period, tax filing form)

April 25, 2024
Page 2

| | | |
|-------------------|-------|------|
| Fernandez, Monica | \$115 | \$92 |
| Tokhi, Dorona | \$110 | \$88 |
| Singh, Manmohit | \$100 | \$80 |
| Brian Torres | \$100 | \$80 |

EXHIBIT 7



4123 Lankershim Boulevard
North Hollywood, CA 91602

O. 818.769.2010

millerkaplan.com

FED EIN 95-2036255

Receivers Account Estate of Saddle River Manag
Kathy Bazoian Phelps
1900 Avenue of the Stars, 19th Floor,
Los Angeles, CA 90067

Invoice: 700062
Date: 1/10/2024
Due Date: Due on receipt
Client ID: 3012290
Client: Receivers Account Estate of S

For professional services rendered as follows:

| Description | Hours | Rate | Amount |
|---|-------|--------|-----------------|
| <u>206129 QSF Estimated Taxes</u> | | | |
| 11/28/2023: Client Trust Banking/Payments: Cecilia Vega: Document Request | 0.15 | 96.00 | 14.40 |
| 11/29/2023: Client Trust Banking/Payments: Cecilia Vega: Document Request | 0.30 | 96.00 | 28.80 |
| 12/4/2023: Preparation: Monica Fernandez: Quarterly estimated tax payments 2023 Q4. | 1.00 | 92.00 | 92.00 |
| 12/12/2023: Preparation: Jessica Corbin: 4Q 2023 estimated tax computations. | 3.00 | 180.00 | 540.00 |
| Assemble: Emily Ransom: Q4 | 0.20 | 168.00 | 33.60 |
| <u>206130 QSF Tax Return</u> | | | |
| 10/9/2023: Preparation: Jessica Corbin: Preparation and filing of the 2023 Qualified Settlement Fund Income Tax Return. | 0.30 | 180.00 | 54.00 |
| Total | | | \$762.80 |
| Total Due | | | \$762.80 |

Miller Kaplan Arase LLP

Page 2 of 3

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

Detailed Specification**11/28/2023:****Cecilia Vega:**

| | | | |
|-------------------------------|------|-------|-------|
| Client Trust Banking/Payments | 0.15 | 96.00 | 14.40 |
|-------------------------------|------|-------|-------|

11/29/2023:**Cecilia Vega:**

| | | | |
|-------------------------------|------|-------|-------|
| Client Trust Banking/Payments | 0.30 | 96.00 | 28.80 |
|-------------------------------|------|-------|-------|

12/4/2023:**Monica Fernandez:**

| | | | |
|-------------|------|-------|-------|
| Preparation | 1.00 | 92.00 | 92.00 |
|-------------|------|-------|-------|

12/12/2023:**Jessica Corbin:**

| | | | |
|-------------|------|--------|--------|
| Preparation | 3.00 | 180.00 | 540.00 |
|-------------|------|--------|--------|

Emily Ransom:

| | | | |
|----------|------|--------|-------|
| Assemble | 0.20 | 168.00 | 33.60 |
|----------|------|--------|-------|

10/9/2023:**Jessica Corbin:**

| | | | |
|-------------|------|--------|-------|
| Preparation | 0.30 | 180.00 | 54.00 |
|-------------|------|--------|-------|



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

| 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 |