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5 *Successor Receiver*

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

11 SECURITIES AND EXCHANGE
COMMISSION,

12 Plaintiff,

13 v.

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

17 Defendants. and

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

21 Relief Defendants.

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

**NOTICE OF MOTION BY RECEIVER
KATHY BAZOIAN PHELPS FOR
ORDER AUTHORIZING: (1)
EMPLOYMENT OF BROKER; (2)
SALE PURSUANT TO 28 U.S.C. § 2004
OF SHARES OF ADDEPAR, INC.; AND
(3) MODIFICATION OF THE
DISTRIBUTION PLAN**

[No Hearing Set]

1 to Equity Acquisition Company, Ltd. (“EAC”) pursuant to a settlement agreement
2 dated as of January 6, 2020 (Dkt. No. 547-2), approved by this Court on January
3 15, 2020 (Dkt. No. 550) (the “EAC Settlement”), and payment of the net proceeds
4 of such sale to EAC after deduction of the amount paid for commissions that are
5 attributable to such sale.

- 6 5. Approval for the Receiver to execute all documents necessary to consummate the
7 sale transaction and to pay any and all customary and reasonable fees associated
8 with that transaction.
- 9 6. Authorization to pay all tax liability associated with the sale of the Addepar Shares.
- 10 7. Approval of the modification of the Distribution Plan entered in this case by Order
11 entered on May 25, 2020 (the “Plan”) (Dkt. No. 613) only as necessary to sell the
12 Addepar Shares and to hold the net proceeds in a reserve account for the benefit of
13 the Addepar investors, subject to all other terms of the Plan.

14 The Motion is based upon this Notice of Motion, the Motion, the Declaration of the
15 Receiver, the Declaration of Matthew Sperling, and the proposed order. In addition to service
16 by ECF, the Receiver intends to serve this Notice, the Motion, and the supporting documents
17 on all interested parties, including counsel for Addepar, using a confidential email list, and to
18 post this Notice, the Motion, and supporting documents on the Receivership website. *See* Civil
19 L.R. 66-6.

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21 Dated: October 11, 2024

RAINES FELDMAN LITRELL LLP

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23 By: /s/ Kathy Bazoian Phelps
24 Kathy Bazoian Phelps
25 *Successor Receiver*
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