

1 DAVID R. ZARO (BAR NO. 124334)
 2 JOSHUA A. DEL CASTILLO (BAR NO. 239015)
 3 MELISSA K. ZONNE (BAR NO. 301581)
 4 ALLEN MATKINS LECK GAMBLE
 5 MALLORY & NATSIS LLP
 6 865 South Figueroa Street, Suite 2800
 7 Los Angeles, California 90017-2543
 8 Phone: (213) 622-5555
 9 Fax: (213) 620-8816
 10 E-Mail: dzaro@allenmatkins.com
 11 jdelcastillo@allenmatkins.com
 12 mzonne@allenmatkins.com

13 Attorneys for Receiver
 14 STEPHEN J. DONELL

15 UNITED STATES DISTRICT COURT
 16 CENTRAL DISTRICT OF CALIFORNIA

17 SECURITIES AND EXCHANGE
 18 COMMISSION,

19 Plaintiff,

20 v.

21 ROBERT YANG, et al.,

22 Defendants,

23 YANROB'S MEDICAL, INC., et al.,

24 Relief Defendants.

Case No. 5:15-CV-02387-SVW (KKx)

**NOTICE OF SUBMISSION AND
 MOTION FOR APPROVAL OF
 SIXTH INTERIM APPLICATION
 FOR PAYMENT OF FEES AND
 REIMBURSEMENT OF EXPENSES
 OF RECEIVER AND HIS
 PROFESSIONALS**

[Memorandum of Points and Authorities;
 Sixth Interim Application of Receiver and
 His Professionals; Declaration of Stephen
 J. Donell; and [Proposed] Order
 submitted concurrently herewith]

Date: January 7, 2019
 Time: 1:30 p.m.
 Ctrm: 10A
 Judge: Hon. Stephen V. Wilson

TO ALL INTERESTED PARTIES AND THIS HONORABLE COURT:

PLEASE TAKE NOTICE THAT on January 7, 2019 at 1:30 p.m., or as
 soon thereafter as this matter may be heard in Courtroom 10A of the above-entitled
 Court, located at 350 W. 1st Street, 10th Fl., Los Angeles, California 90012,
 Stephen J. Donell, (the "Receiver") as the permanent receiver for Defendants Suncor
 Fontana, LLC, Suncor Hesperia, LLC, Suncor Care Lynwood, LLC, and their

1 respective subsidiaries and affiliates, will and hereby does move this Court for an
 2 Order granting the Sixth Interim Application for Payment of Fees and
 3 Reimbursement of Expenses (the "Application") of the Receiver, his accountants,
 4 SL Biggs, a Division of Singer Lewak ("SL Biggs"), and his counsel of record,
 5 Allen Matkins Leck Gamble Mallory & Natsis LLP ("Allen Matkins" or
 6 "Professionals").

7 The Application of the Receiver and Allen Matkins has been submitted
 8 concurrently herewith. Pursuant to the Application, the Receiver, Allen Matkins
 9 and SL Biggs seek approval of all of their respective fees and expenses incurred
 10 from April 1, 2017 through July 31, 2018, as follows:

<u>Applicant</u>	<u>Current Fees</u>	<u>Current Expenses</u>	<u>Total Amount Requested for Approval</u>
Receiver	\$107,177.08	\$403.45	\$107,580.53
Allen Matkins	\$322,341.40	\$5,550.98	\$327,892.38
SL Biggs	\$1,440.00	0	\$1,440.00
<u>TOTAL:</u>	\$430,958.48	\$5,954.43	\$436,912.91

17
 18 Pursuant to the Application, the Receiver seeks authorization to pay himself
 19 90% of the approved fees and 100% of the approved expenses from the assets of the
 20 Receivership Entities, on an interim basis. Additionally, the Receiver seeks
 21 authorization to pay Allen Matkins 80% of the approved fees and 100% of the
 22 approved expenses from the assets of the Receivership Entities, on an interim basis.
 23 Finally, the Receiver seeks authorization to pay SL Biggs 100% of its fees which
 24 arose in connection with accounting services and the sale of one real property Asset.

25 The Application is based on this Notice of Submission and Motion for
 26 Approval of Sixth Interim Application for Payment of Fees and Reimbursement of
 27 Expenses, the Application itself, as well as the concurrently filed Memorandum of
 28

1 Points and Authorities, and Declaration of Stephen J. Donell, along with any
2 argument or evidence presented to the Court at the hearing on this Motion.

3 Please also note that the Receiver's and Allen Matkins' First Interim
4 Applications for Payment of Fees and Reimbursement of Expenses (the "Original
5 Applications"), which covered the period from December 2015 through March
6 2016, were filed on June 3, 2016, and heard on July 11, 2016, and the Second
7 Interim Applications for Payments of Fees and Reimbursement of Expenses (the
8 "Second Applications"), which covered the period from April 1, 2016 through June
9 30, 2016, were filed on October 7, 2017 and the hearing was vacated. The order on
10 the Second Applications was entered on November 3, 2016, and the order granting
11 the First Applications was entered on November 8, 2016. The Third Interim
12 Applications for Payment of Fees and Reimbursement of Expenses (the "Third
13 Applications"), which covered the period from July 1, 2016 through September 30,
14 2016 was filed on January 11, 2017, and the order granting the Third Applications
15 was entered on February 16, 2017. The Fourth Interim Applications for Payment of
16 Fees and Reimbursement of Expenses (the "Fourth Applications"), which covered
17 the period from October 1, 2016 through December 31, 2016 was filed on June 7,
18 2017, and the order granting the Fourth Applications was entered on June 22, 2017.
19 The Fifth Interim Applications for Payment of Fees and Reimbursement of
20 Expenses (the "Fifth Applications"), which covered the period from January 1, 2017

21 \\\

22 \\\

23 \\\

24 \\\

25 \\\

26 \\\

27 \\\

28

1 through March 31, 2017 was filed on December 19, 2017, and the order granting the
2 Fifth Applications was entered on January 29, 2018.

3 Dated: November 19, 2018

4 ALLEN MATKINS LECK GAMBLE
5 MALLORY & NATSIS LLP
6 DAVID R. ZARO
7 JOSHUA A. DEL CASTILLO
8 MELISSA K. ZONNE

9 By: /s/ Joshua A. del Castillo

10 JOSHUA A. DEL CASTILLO
11 Attorneys for Receiver
12 STEPHEN J. DONELL
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

ROBERT YANG, et al.,

Defendants,

YANROB'S MEDICAL, INC., et al.,

Relief Defendants.

Case No. 5:15-CV-02387-SVW (KKx)

**[PROPOSED] ORDER GRANTING
SIXTH INTERIM APPLICATION
FOR PAYMENT OF FEES AND
REIMBURSEMENT OF EXPENSES
OF THE RECEIVER AND HIS
PROFESSIONALS**

Date: January 7, 2019

Time: 1:30 p.m.

Judge: Hon. Stephen V. Wilson

ORDER

The Court has reviewed the Sixth Interim Application for Payment of Fees and Reimbursement of Expenses ("Application") filed by Stephen J. Donell (the "Receiver"), the permanent receiver for Defendants Suncor Fontana, LLC, Suncor Hesperia, LLC, Suncor Care Lynwood, LLC, and their respective subsidiaries and affiliates (collectively, the "Receivership Entities"), SL Biggs, a division of Singer Lewak ("SL Biggs"), the Receiver's accountant, and Allen Matkins Leck Gamble

1 Mallory & Natsis, LLP ("Allen Matkins"), the Receiver's counsel of record, for
2 services rendered during the period from April 1, 2017 through July 31, 2018.

3 Having considered the Application, and all its supporting materials, the Court
4 finds the fees and costs requested in the Application are appropriate under the
5 circumstances and will reasonably, but not excessively, compensate the Receiver
6 and Allen Matkins for their respective efforts.

7 Good cause appearing therefor,

8 IT IS HEREBY ORDERED AS FOLLOWS:

9 1. The Receiver's fees, in the amount of \$107,177.08, and expenses, in the
10 amount of \$403.45, are approved;

11 2. The Receiver is authorized and directed to pay himself 90% of the
12 approved fees, or \$96,459.37, and 100% of the approved expenses, or \$403.45, from
13 the assets of the Receivership Entities, on an interim basis;

14 3. SL Biggs' fees in the amount of \$1,440.00 are approved;

15 4. The Receiver is authorized and directed to pay SL Biggs 100% of the
16 approved fees, or \$1,440.00, from the assets of the Receivership Entities;

17 5. Allen Matkins' fees, in the amount of \$322,341.40, and expenses, in the
18 amount of \$5,550.98, are approved; and

19 6. The Receiver is authorized and directed to pay Allen Matkins 80% of
20 the approved fees, or \$257,873.10, and 100% of the approved expenses, or
21 \$5,550.98, from the assets of the Receivership Entities, on an interim basis.

22

23 IT IS SO ORDERED.

24

25 Dated: _____

Hon. Stephen V. Wilson
Judge, United States District Court

26

27

28

1 **PROOF OF SERVICE**

2 *Securities and Exchange Commission v. Robert Yang, Suncor Fontana, et al.*
3 USDC, Central District of California – Case No. 5:15-cv-02387-SVW (KKx)

4 I am employed in the County of Los Angeles, State of California. I am over
5 the age of 18 and not a party to the within action. My business address is 865
6 S. Figueroa Street, Suite 2800, Los Angeles, California 90017-2543.

7 A true and correct copy of the foregoing document(s) described below will be
8 served in the manner indicated below:

9 **NOTICE OF SUBMISSION AND MOTION FOR APPROVAL OF**
10 **SIXTH INTERIM APPLICATION FOR PAYMENT OF FEES AND**
11 **REIMBURSEMENT OF EXPENSES OF RECEIVER**
12 **AND HIS PROFESSIONALS**

13 1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC**
14 **FILING ("NEF")** – the above-described document will be served by the Court
15 via NEF. On **November 20, 2018**, I reviewed the CM/ECF Mailing Info For
16 A Case for this case and determined that the following person(s) are on the
17 Electronic Mail Notice List to receive NEF transmission at the email
18 address(es) indicated below:

- 19 • **Zachary T. Carlyle**
20 carlylez@sec.gov,kasperg@sec.gov,karpeli@sec.gov,
21 blomgrene@sec.gov,NesvigN@sec.gov
- 22 • **Eric David Dean**
23 edean@fyklaw.com,cyoung@fyklaw.com
- 24 • **Stephen J. Donell**
25 jdelcastillo@allenmatkins.com
- 26 • **Mark T. Hiraide**
27 mth@msk.com,kjue@phlcorplaw.com,bag@msk.com
28 hitabashi@phlcorplaw.com,eganous@phlcorplaw.com
- **Leslie J. Hughes**
hughesLJ@sec.gov,kasperg@sec.gov,nesvign@sec.gov
- **David J. Van Havermaat**
vanhavermaatd@sec.gov,larofiling@sec.gov,kassabguir@sec.gov,
irwinma@sec.gov,longoa@sec.gov
- **Joshua Andrew del Castillo**
jdelcastillo@allenmatkins.com,mdiaz@allenmatkins.com
- **David R Zaro**
dzaro@allenmatkins.com,mdiaz@allenmatkins.com

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

- **Melissa Katherine Zonne**
mzonne@allenmatkins.com,mlyons@allenmatkins.com

2. **SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):** On **November 20, 2018**, I served the following person(s) and/or entity(ies) in this case by placing a true and correct copy thereof in a sealed envelope(s) addressed as indicated below. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion for party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 (one) day after date of deposit for mailing in affidavit. Or, I deposited in a box or other facility regularly maintained by FedEx, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelopes or packages designated by the express service carrier, addressed as indicated above on the above-mentioned date, with fees for overnight delivery paid or provided for.

Franchise Tax Board (FTB) **Via U.S. Mail**
P.O. Box 2952
Sacramento, CA 95812-2952

Internal Revenue Service **Via U.S. Mail**
880 Front Street
San Diego, CA 92101-8869

I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on **November 20, 2018** at Los Angeles, California.

/s/ Martha Diaz

Martha Diaz