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13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 SECURITIES AND EXCHANGE
16 COMMISSION,

17 Plaintiff,

18 v.

19 ROBERT YANG, et al.,

20 Defendants,

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

22 Relief Defendants.

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

DECLARATION OF RECEIVER,
STEPHEN J. DONELL, IN SUPPORT
OF RECEIVER'S MOTION FOR
ORDER APPROVING FINAL
DISTRIBUTION AMOUNT AND
AUTHORIZING FINAL
DISTRIBUTION

[Notice of Motion and Motion;
Memorandum of Points and Authorities;
and [Proposed] Order submitted
concurrently herewith]

Date: May 13, 2019
Time: 1:30 p.m.
Ctm: 10A
Judge Hon. Stephen V. Wilson

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DECLARATION OF STEPHEN J. DONELL

I, Stephen J. Donell, declare as follows:

1. Am the Court-appointed permanent receiver for Defendants Suncor Fontana, LLC, Suncor Hesperia, LLC, Suncor Care Lynwood, LLC, and their respective subsidiaries and affiliates (collectively, the "Receivership Entities") in the above-entitled matter. I submit this Declaration, based on personal knowledge, in support of my concurrently filed Motion for Order Approving Final Distribution Amount and Authorizing Final Distribution (the "Motion").

2. In accordance with the Court's prior instructions, I have completed the interim distribution on claims allowed by the Court against the Receivership Entities, and am not prepared to make a final, pro rata distribution on allowed claims, and thereafter expect to commence the process of winding down and terminating the instant receivership.

3. At present, I hold at least \$3,248,011.36 for the administration and benefit of the Receivership Entities, as reflected in my February 2019 Standardized Find Accounting Report, a true and correct copy of which is attached hereto as **Exhibit A**. These funds include approximately \$177,000 in funds turned over from or frozen in accounts held by or for the benefit of Relief Defendant Yanrob's Medical, Inc. ("Yanrob"). I understand and believe that these funds were turned over or frozen in accordance with this Court's preliminary injunction and order appointing me as receiver.

4. As reflected in my initial Forensic Accounting Report and Amended Forensic Accounting Report (Dkt. Nos. 53, Ex. 1 and 69, Ex. 1), I previously determined that approximately \$1.3 million in funds derived from Receivership Entity investors were diverted to Yanrob, or for Yanrob's benefit, and thereafter, have maintained that the receivership has a claim for reimbursement against Yanrob in that amount. As of the date of the Motion, Yanrob has not reimbursed the Receivership Entities in connection with this claim.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 11, 2019, at Los Angeles, California.



Stephen J. Donell

**Standardized Fund Accounting Report for Sunco Receivership Estate - Cash Basis
 Receivership; Civil Court Docket No. 5:15-cv-02387-SVW (KKx)
 Reporting Period 2/1/19-2/28/19**

Fund Accounting:			
	Detail	Subtotal	Grand Total
Beginning Balance:			3,324,311.68
Increases in Fund Balance:			
Business Income			
Cash and Securities			
Interest/Dividend Income	78.44		
Business Asset Liquidation	-		
Personal Asset Liquidation			
Third-Party Litigation Income	-		
Miscellaneous- Return of Distribution by Investor	-		
Total Funds Available:			3,324,390.12
Decreases in Fund Balance:			
Disbursements to Investors	75,578.76		75,578.76
Disbursements for Receivership Operations			
<i>Disbursements to Receiver or Other Professionals</i>	560.00		
<i>Business Asset Expenses</i>	-		
<i>Personal Asset Expenses</i>			
<i>Investment Expenses</i>	240.00		
<i>Third-Party Litigation Expenses</i>			
1. Attorney Fees	-		
2. Litigation Expenses	-		
<i>Total Third-Party Litigation Expenses</i>		-	
<i>Tax Administrator Fees and Bonds</i>	-		
<i>Federal and State Tax Payments</i>	-		
Total Disbursements for Receivership Operations			800.00
Disbursements for Distribution Expenses Paid by the Fund:			
<i>Distribution Plan Development Expenses:</i>			
1. Fees:			
Fund Administrator.....	-		
Independent Distribution Consultant (IDC).....	-		
Distribution Agent.....	-		
Consultants.....	-		
Legal Advisers.....	-		
Tax Advisers.....	-		
2. Administrative Expenses	-		
3. Miscellaneous	-		
<i>Total Plan Development Expenses</i>		-	
<i>Distribution Plan Implementation Expenses:</i>			
1. Fees:			
Fund Administrator.....	-		
Independent Distribution Consultant (IDC).....	-		
Distribution Agent.....	-		
Consultants.....	-		
Legal Advisers.....	-		
Tax Advisers.....	-		
2. Administrative Expenses	-		
3. Investor Identification:			
Notice/Publishing Approved Plan.....	-		
Claimant Identification.....	-		
Claims Processing.....	-		
Web Site Maintenance/Call Center.....	-		
4. Fund Administrator Bond	-		
5. Miscellaneous	-		
6. Federal Account for Investor Restitution (FAIR) Reporting Expenses	-		
<i>Total Plan Implementation Expenses</i>		-	
Total Disbursements for Distribution Expenses Paid by the Fund			-
Disbursements to Court/Other:			
<i>Investment Expenses/Court Registry Investment System (CRIS) Fees</i>	-		
<i>Federal Tax Payments</i>	-		
Total Disbursements to Court/Other:			-
Total Funds Disbursed:			76,378.76
Ending Balance (As of 2/28/19):			3,248,011.36

Note: Return to investor Li Zhijan, was previously returned to receiver in Oct2018

Receiver:
 By: _____
 (Signature)
 Stephen J. Donell
 (Printed Name)

Date: _____

PROOF OF SERVICE

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

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

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

DECLARATION OF RECEIVER, STEPHEN J. DONELL, IN SUPPORT OF MOTION OF RECEIVER FOR ORDER APPROVING FINAL DISTRIBUTION AMOUNT AND AUTHORIZING FINAL DISTRIBUTION

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – the above-described document will be served by the Court via NEF. On **April 11, 2019**, I reviewed the CM/ECF Mailing Info For A Case for this case and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

- **Zachary T. Carlyle**
carlylez@sec.gov,kasperg@sec.gov,karpeli@sec.gov,blomgrene@sec.gov,NesvigN@sec.gov
- **Eric David Dean**
edean@fyklaw.com,cyoung@fyklaw.com
- **Stephen J. Donell**
jdelcastillo@allenmatkins.com
- **Mark T. Hiraide**
mth@msk.com,kjue@phlcorplaw.com,bag@msk.comhitabashi@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

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- **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 **April 11, 2019**, 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 **April 11, 2019** at Los Angeles, California.

/s/ Martha Diaz

Martha Diaz