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8 Consultants to Receiver
9 Thomas A. Seaman

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 SECURITIES AND EXCHANGE
14 COMMISSION,

15 Plaintiff,

16 v.

17 STEVE CHEN, USFIA, INC.,
18 ALLIANCE FINANCIAL
19 GROUP, INC., AMAUCTION, INC.,
20 ABORELL MGMT I, LLC, ABORELL
21 ADVISORS I, LLC, ABORELL
22 REIT II, LLC, AHOME REAL
23 ESTATE, LLC, ALLIANCE
24 NGN, INC., APOLLO REIT I, INC.,
25 APOLLO REIT II, LLC, AMKEY, INC.,
26 US CHINA CONSULTATION
27 ASSOCIATION, and QUAIL RANCH
28 GOLF COURSE, LLC,

Defendants.

Case No. 2:15-cv-07425 RGK GJS

**FIFTH INTERIM FEE
APPLICATION OF BERKELEY
RESEARCH GROUP, LLC**

Date: October 2, 2017
Time: 9:00 a.m.
Ctm.: 850
Judge: Hon. R. Gary Klausner

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INTRODUCTION

Berkeley Research Group, LLC ("BRG"), consultants to Thomas Seaman, the court-appointed Receiver of Defendants USFIA, Inc., Alliance Financial Group, Inc., Amauction, Inc., Aborell Mgmt I, LLC, Aborell Advisors I, LLC, Aborell REIT II, LLC, Ahome Real Estate, LLC, Alliance NGN, Inc., Apollo REIT I, LLC, Apollo REIT II, LLC, Amkey, Inc., US China Consultation Association, and Quail Ranch Golf Club, LLC (collectively, "Receivership Entities"), hereby submits this Fifth Interim Application for Payment of Fees and Reimbursement of Expenses ("Fifth Application"). The Application covers the period from April 1, 2017 through July 31, 2017 ("Fifth Application Period").

BRG previously filed a First, Second, Third and Fourth Interim Fee Application, for the period of September 28, 2015, through March 31, 2017 ("Prior Application Periods"). In the aggregate, BRG requested, and the Court approved, \$263,840.05 in fees and \$26,339.74 in costs for the Prior Application Periods. The Court authorized the Receiver to pay out of assets of the Receivership Estate 90% of the allowed fees, equal to \$237,456.04, and 100% of the allowed costs.

By this Fifth Interim Fee Application, BRG seeks compensation for professional fees totaling \$4,680.00 and \$1,436.47 in expenses incurred. BRG now requests that the Court approve such fees and expenses on an interim basis, and enter an Order authorizing the Receiver to pay 90% of the fees (\$4,212.00) and 100% of expenses incurred.

SERVICES PERFORMED DURING THE FIFTH APPLICATION PERIOD

On or about September 28, 2015, the Court appointed Thomas Seaman on a temporary basis. The Receiver was authorized to, among other things, to (1) collect and take custody, control, and possession of all assets and premises of the Receivership Entities; (2) conduct such investigation and discovery as may be necessary to locate and account for all assets of or managed by the Receivership

1 Entities; (3) take such action as is necessary and appropriate to preserve and take
2 control of and to prevent the dissipation, concealment, or disposition of any assets
3 of or managed by the Receivership Entities; (4) have access to and monitor all mail,
4 electronic mail, and video phone of the Receivership Entities; and (5) to employ
5 attorneys, accountants, consultants, and other persons to assist in such investigation
6 and discovery.

7 Reasonably detailed descriptions of the fees and expenses incurred by BRG
8 during the Fifth Application Period are included in the invoices attached hereto as
9 Exhibit A. As summarized below, BRG provided services in the following
10 categories during the Fifth Application Period:

- 11 1. Database Analysis and Reporting
- 12 2. On-Site Support

13 The Receiver instructed BRG to undertake these tasks, approved the amounts
14 billed by BRG in connection with these tasks, and instructed BRG to prepare this
15 Application. BRG completed these tasks as efficiently as possible given the time
16 constraints, amount of data requested to be preserved, and analysis performed.

17 **1. Database Analysis and Reporting**

18 BRG analyzed various databases hosted by the Receivership Entities and
19 reported on the following:

- 20 • Analyzed the front end of the Ahome database to identify key
21 fields to be able to produce full reports from the backend
22 database. Analyzed the backend Ahome database structure to
23 be able to generate reports.

24 In order to complete these activities, BRG staff was required to spend
25 5.50 hours resulting in fees in the amount of \$1,980.00.

26 **2. On-Site Support**

27 BRG staff provided on-site IT related support to the United States Attorney's
28

1 Office and other government agencies while conducting interviews of former
 2 USFIA employees, providing access to former employee's computers and the
 3 various files, websites, and databases used during their employment at USFIA.

4 In order to complete these activities, BRG staff was required to spend
 5 7.5 hours resulting in fees in the amount of \$2,700.00.

6 **EXPENSES**

7 In order to complete each of the above tasks, BRG incurred \$1,436.47 in
 8 expenses during the application period summarized as follows:

Description	Amount
Travel (Air, Lodging, Car)	\$1,202.47
Admin Fee	234.00
Total	\$1,436.47

12
 13 The expenses covered under our 5% standard admin fee relate to specialized
 14 computer software purchased for this matter together with equipment costs such as
 15 Network Attached Storage Devices, Certified Blank Hard Drives, Data Backup
 16 Systems, High Speed Network, Telecommunications, Internal Copying and
 17 Printing, Itemized Supplies.

18 **BRG'S FEES AND EXPENSES ARE REASONABLE AND APPROPRIATE**

19 The amounts sought in this Application are reasonable for the professional
 20 services performed by BRG on behalf of the Receiver and the Receivership
 21 Entities. BRG believes the services rendered constitute necessary and appropriate
 22 services to assist the Receiver in carrying out his duties and obligations under the
 23 Court's orders. Moreover, BRG believes that the services rendered provided
 24 substantial benefit to the Receiver and the Receivership Entities and therefore
 25 respectfully submits that its fees and expenses are fair and reasonable and should be
 26 approved on an interim basis.

27 **CONCLUSION**

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Accordingly, BRG respectfully requests that the Court enter an Order approving, on an interim basis, BRG’s fees in the amount of \$4,680.00, its expenses in the amount of \$1,436.47 and authorizing the Receiver to pay BRG 90% of its fees incurred, or \$4,212.00, and 100% of its expenses, in the amount of \$1,436.47.

Dated: August 24, 2017

BERKELEY RESEARCH GROUP, LLC



Marvin A. Tenenbaum
Senior Vice President & Senior Counsel

EXHIBIT A



Thomas Seaman
 Thomas Seaman Company
 3 Park Plaza, Suite 550
 Irvine, CA 92614

May 3, 2017
 Client-Matter: 7733-11355
 Invoice #: 51919
 Tax ID # 27-1451273

Via Email: tom@thomasseaman.com

RE: SEC v. US Fine Investments Arts Inc

Services Rendered Through March 31, 2017

Professional Services	\$ 4,500.00	USD
Expenses Incurred	225.00	
CURRENT CHARGES	\$ 4,725.00	USD
 <i>OUTSTANDING INVOICES</i>		
Invoice # 39745 - Dated 03/21/16	2,777.64	
Invoice # 40686 - Dated 04/28/16	1,522.50	
Invoice # 41318 - Dated 05/19/16	2,326.25	
Invoice # 42315 - Dated 07/07/16	945.62	
Invoice # 42990 - Dated 07/20/16	1,125.10	
Invoice # 45031 - Dated 09/28/16	385.00	
Invoice # 45885 - Dated 10/26/16	1,032.50	
Invoice # 46705 - Dated 11/18/16	2,021.25	
Invoice # 47816 - Dated 12/23/16	4,501.88	
Invoice # 49775 - Dated 02/27/17	5,158.41	
Invoice # 50852 - Dated 03/31/17	5,481.00	
BALANCE DUE	\$ 32,002.15	USD

PAYMENT IS DUE BY June 2, 2017

Please direct questions regarding this invoice to: Michael Bandemer at (619) 823-8867 or mbandemer@thinkbrg.com.

Please remit payment by check to:

Berkeley Research Group, LLC
 2200 Powell Street, Suite 1200
 Emeryville, CA 94608

Please remit payment by wire or ACH to:

Bank Name: PNC Bank, N.A.
 SWIFT: PNCCUS33ENJ
 ABA #: 031207607
 Account Name: Berkeley Research Group, LLC
 Account #: 8026286672
 Reference: 51919

Remittance advices are to be sent to:
 remitadvice@thinkbrg.com



To: Thomas Seaman
c/o: Thomas Seaman Company
RE: SEC v. US Fine Investments Arts Inc

Page 2 of 3
Invoice # 51919
Client-Matter: 07733-011355

Services Rendered Through March 31, 2017

PROFESSIONAL SERVICES

	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Senior Managing Consultant David Jimenez	360.00	12.50	4,500.00
Total Professional Services		<u>12.50</u>	<u>4,500.00</u>

EXPENSES

In-House Costs: Technology, Fax, Phone, Supplies & Photocopies			<u>225.00</u>
Total Expenses			225.00



To: Thomas Seaman
c/o: Thomas Seaman Company
RE: SEC v. US Fine Investments Arts Inc

Page 3 of 3
Invoice # 51919
Client-Matter: 07733-011355

Services Rendered Through March 31, 2017

DETAIL OF PROFESSIONAL SERVICES

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>
03/07/17	David Jimenez	Provided on site support as USFIA facility.	7.50
03/23/17	David Jimenez	Performed Ahome database analysis.	2.25
03/24/17	David Jimenez	Performed Ahome database analysis.	2.75
Professional Services			12.50



Thomas Seaman
Thomas Seaman Company
3 Park Plaza, Suite 550
Irvine, CA 92614

June 2, 2017
Client-Matter: 7733-11355
Invoice #: 52913
Tax ID # 27-1451273

Via Email: tom@thomasseaman.com

RE: SEC v. US Fine Investments Arts Inc

Services Rendered Through April 30, 2017

Expenses Incurred	1,202.47	
CURRENT CHARGES	\$ 1,202.47	USD
OUTSTANDING INVOICES		
Invoice # 39745 - Dated 03/21/16	2,777.64	
Invoice # 40686 - Dated 04/28/16	1,522.50	
Invoice # 41318 - Dated 05/19/16	2,326.25	
Invoice # 42315 - Dated 07/07/16	945.62	
Invoice # 42990 - Dated 07/20/16	1,125.10	
Invoice # 45031 - Dated 09/28/16	385.00	
Invoice # 45885 - Dated 10/26/16	1,032.50	
Invoice # 46705 - Dated 11/18/16	2,021.25	
Invoice # 47816 - Dated 12/23/16	4,501.88	
Invoice # 49775 - Dated 02/27/17	5,158.41	
Invoice # 50852 - Dated 03/31/17	5,481.00	
Invoice # 51919 - Dated 05/03/17	4,725.00	
BALANCE DUE	\$ 33,204.62	USD

PAYMENT IS DUE BY July 2, 2017

Please direct questions regarding this invoice to: Michael Bandemer at (619) 823-8867 or mbandemer@thinkbrg.com.

Please remit payment by check to:

Berkeley Research Group, LLC
2200 Powell Street, Suite 1200
Emeryville, CA 94608

Please remit payment by wire or ACH to:

Bank Name: PNC Bank, N.A.
SWIFT: PNCCUS33ENJ
ABA #: 031207607
Account Name: Berkeley Research Group, LLC
Account #: 8026286672
Reference: 52913

Remittance advices are to be sent to:
remitadvice@thinkbrg.com



To: Thomas Seaman
c/o: Thomas Seaman Company
RE: SEC v. US Fine Investments Arts Inc

Page 2 of 2
Invoice # 52913
Client-Matter: 07733-011355

EXPENSES

Travel - Airline	306.14
Travel - Hotel/Lodging	468.84
Travel - Parking	49.70
Travel - Taxi, Car Rental, Toll, Train	377.79
Total Expenses	1,202.47



Thomas Seaman
Thomas Seaman Company
3 Park Plaza, Suite 550
Irvine, CA 92614

June 26, 2017
Client-Matter: 7733-11355
Invoice #: 53591
Tax ID # 27-1451273

Via Email: tom@thomasseaman.com

RE: SEC v. US Fine Investments Arts Inc

Services Rendered Through May 31, 2017

Professional Services	\$	180.00	USD
Expenses Incurred		9.00	
CURRENT CHARGES	\$	189.00	USD
OUTSTANDING INVOICES			
Invoice # 39745 - Dated 03/21/16		2,777.64	
Invoice # 40686 - Dated 04/28/16		1,522.50	
Invoice # 41318 - Dated 05/19/16		2,326.25	
Invoice # 42315 - Dated 07/07/16		945.62	
Invoice # 42990 - Dated 07/20/16		1,125.10	
Invoice # 45031 - Dated 09/28/16		385.00	
Invoice # 45885 - Dated 10/26/16		1,032.50	
Invoice # 46705 - Dated 11/18/16		2,021.25	
Invoice # 47816 - Dated 12/23/16		4,501.88	
Invoice # 49775 - Dated 02/27/17		5,158.41	
Invoice # 50852 - Dated 03/31/17		5,481.00	
Invoice # 51919 - Dated 05/03/17		4,725.00	
Invoice # 52913 - Dated 06/02/17		1,202.47	
BALANCE DUE	\$	33,393.62	USD

PAYMENT IS DUE BY July 26, 2017

Please direct questions regarding this invoice to: Michael Bandemer at (619) 823-8867 or mbandemer@thinkbrg.com.

Please remit payment by check to:

Berkeley Research Group, LLC
2200 Powell Street, Suite 1200
Emeryville, CA 94608

Please remit payment by wire or ACH to:

Bank Name: PNC Bank, N.A.
SWIFT: PNCCUS33ENJ
ABA #: 031207607
Account Name: Berkeley Research Group, LLC
Account #: 8026286672
Reference: 53591

Remittance advices are to be sent to:
remitadvice@thinkbrg.com



To: Thomas Seaman
c/o: Thomas Seaman Company
RE: SEC v. US Fine Investments Arts Inc

Page 2 of 3
Invoice # 53591
Client-Matter: 07733-011355

Services Rendered Through May 31, 2017

PROFESSIONAL SERVICES

	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
Senior Managing Consultant David Jimenez	360.00	0.50	180.00
Total Professional Services		<u>0.50</u>	<u>180.00</u>

EXPENSES

In-House Costs: Technology, Fax, Phone, Supplies & Photocopies			<u>9.00</u>
Total Expenses			9.00



To: Thomas Seaman
c/o: Thomas Seaman Company
RE: SEC v. US Fine Investments Arts Inc

Page 3 of 3
Invoice # 53591
Client-Matter: 07733-011355

Services Rendered Through May 31, 2017

DETAIL OF PROFESSIONAL SERVICES

<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Hours</u>
05/08/17	David Jimenez	Delivered Ahome database reports.	0.50
Professional Services			0.50