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10 Attorneys for Receiver
11 Thomas A. Seaman

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 SECURITIES AND EXCHANGE
COMMISSION,

16 Plaintiff,

17 v.

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

24 Defendants.
25

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

**NOTICE OF MOTION AND
MOTION TO APPROVE
RECEIVER'S AMENDED
DISTRIBUTION PLAN**

Date: June 6, 2022
Time: 9:00 a.m.
Ctrm: 850
Judge Hon.R. Gary Klausner

1 **TO ALL INTERESTED PARTIES:**

2 **PLEASE TAKE NOTICE THAT** on June 6, 2022 at 9:00 a.m., in
3 Courtroom 850 of the above-entitled Court, located at 255 East Temple Street, Los
4 Angeles, California, Thomas A. Seaman, the Court-appointed permanent receiver
5 (“Receiver”) for Defendants USFIA, Inc., Alliance Financial Group, Inc.,
6 Amauction, Inc., Aborell Mgmt I, LLC, Aborell Advisors I, LLC, Aborell
7 REIT II, LLC, Ahome Real Estate, LLC, Alliance NGN, Inc., Apollo REIT I, Inc.,
8 Apollo REIT II, LLC, Amkey, Inc., US China Consultation Association, Quail
9 Ranch Golf Course, LLC, and their subsidiaries and affiliates (collectively,
10 “Receivership Entities”), hereby submits this Motion to Approve Receiver’s
11 Amended Distribution Plan (the “Motion”). The Receiver seeks Court approval of
12 the Amended Distribution Plan which provides for a finding that the Receiver holds
13 the proceeds of the Receivership Entities in constructive trust for payment of the
14 administrative expenses of the receivership estate and the investor victims with
15 allowed claims; the immediate distribution of \$45,800,000 to Investor Claimants,
16 the setting aside of an administrative expense and tax reserve of \$16,500,000, and
17 the subordination of any present or future claim of the Internal Revenue Service (the
18 “IRS”) to the payment of 100% of the Allowed Claims of Claimants in accordance
19 with Department of Justice Directive #137. A true and correct copy of the Amended
20 Distribution Plan is attached to the Seaman Declaration as Exhibit A.

21 The Receiver met and conferred with the Securities and Exchange
22 Commission prior to filing this Motion. The foundation and detailed basis for the
23 Motion and the Amended Distribution Plan are set forth in the concurrently filed
24 Memorandum of Points and Authorities, the supporting Declaration of Thomas A.
25 Seaman and the documents and pleadings already on file in this action, and upon
26 such further oral and documentary evidence as may be presented at time of hearing
27 on the Motion.

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PROOF OF SERVICE

Securities and Exchange Commission v. Steven Chen, USFIA, Inc., et al.,
USDC, Central District of California – Case No. 2:15-cv-07425-RGK-PLA

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.

On **April 22, 2022**, I caused to be served on all the parties to this action addressed as stated on the attached service list or as indicated below, the document entitled: **NOTICE OF MOTION AND MOTION TO APPROVE RECEIVER’S AMENDED DISTRIBUTION PLAN**

- OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.
- OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by express service carrier, 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 envelope(s) or package(s) designed by the express service carrier, addressed as indicated on the attached service list, with fees for overnight delivery paid or provided for.
- HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.
- ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.
- E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.
- FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

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 22, 2021** at Los Angeles, California.



Martha Diaz

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SERVICE LIST

Securities and Exchange Commission v. Steven Chen, USFIA, Inc., et al.,
USDC, Central District of California – Case No. 2:15-cv-07425-RGK-PLA

Internal Revenue Service
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Ogden, UT 84201-0036

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