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6 Attorneys for Receiver  
7 THOMAS A. SEAMAN

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DISTRICT

11 SECURITIES AND EXCHANGE  
12 COMMISSION,

13 Plaintiff,

14 vs.

15 SMALL BUSINESS CAPITAL CORP.;  
MARK FEATHERS; INVESTORS PRIME  
16 FUND, LLC; and SBC PORTFOLIO  
FUND, LLC,

17 Defendants.

Case No. CV12-03237

**RECEIVER'S ADMINISTRATIVE  
MOTION FOR PAYMENT OF LOAN  
SERVICING COSTS FOR  
NOVEMBER 2015**

Ctrm: 4 - 5th Floor  
Judge: Hon. Edward J. Davila

1 Thomas A. Seaman ("Receiver"), the Court-appointed permanent receiver for Small  
 2 Business Capital Corp. ("SB Capital"), Investors Prime Fund, LLC ("IPF"), SBC Portfolio  
 3 Fund, LLC ("SPF"), and their subsidiaries and affiliates (collectively, "Receivership Entities"),  
 4 hereby submits this Application for Payment of Loan Servicing Costs for November 2015. In its  
 5 order entered on August 7, 2014, the Court authorized the Receiver to submit monthly bills for  
 6 loan servicing costs, starting with August 2014. Docket No. 936.

7 The total cost of servicing the loan portfolios for November 2015 was \$5,128.50, reaching  
 8 another new low. There are 30 SBA 7-A loans with an unpaid balance of \$21,233,415.52, of  
 9 which \$4,212,872.04 is the retained portion owned by the Receivership Entities. There are no  
 10 monetary defaults as of the end of November. One borrower is behind on repaying insurance  
 11 premiums paid by the Receiver and added to the borrower's unpaid balance.

12 The Receiver continues to ensure the Receivership Entities remain in compliance with the  
 13 SBA's SOP and collect and account for loan payments, remit to participants' their share of the  
 14 loan payments, respond to borrower inquiries, monitor compliance with non-monetary covenants  
 15 including insurance and property taxes, and otherwise service the loans. The Receiver expects  
 16 servicing costs to remain stable in the coming months before the sale is concluded. A complete  
 17 list of each task performed is attached as Exhibit A.

18 Based on the foregoing, the Receiver respectfully requests Court approval and authority to  
 19 pay the November 2015 loan servicing costs of \$5,128.50.

20 Dated: December 16, 2015

ALLEN MATKINS LECK GAMBLE  
 MALLORY & NATSIS LLP

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 23 By:                         /s/ Ted Fates  
 TED FATES  
 Attorneys for Receiver  
 Thomas A. Seaman

**EXHIBIT A**

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

Invoice submitted to:  
 Thomas Seaman, Receiver for SBC  
 3 Park Plaza  
 Suite 550  
 Irvine, CA 92614

December 08, 2015

Invoice #11173

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
<u>Loan Servicing</u>			
11/3/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	2.20 135.00/hr	297.00
11/4/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	2.50 135.00/hr	337.50
11/5/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	2.20 135.00/hr	297.00
11/6/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports. Made flash drive with various info related to accounting, payment processing, and loan participation/1502 reporting for bidder, YBL.	2.60 135.00/hr	351.00
11/9/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	1.80 135.00/hr	243.00
11/10/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports. Accounted for loan payoff for VS investments in ABS and 1502 report.	2.20 135.00/hr	297.00
11/11/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports. Updated payoff in ABS and 1502 report for the VS Investment payoff; had to add 2 more days worth of interest income for Colson.	1.60 135.00/hr	216.00
11/12/2015	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports. Wired CBB second portion of payments for Nov, cleared check	1.80 135.00/hr	243.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
	register, entered transactions into Quickbooks's.		
11/13/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	1.30 135.00/hr	175.50
11/16/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	0.60 135.00/hr	81.00
KJ	Loan Servicing Accounted for 3AM LLC foreclosure sale in ABS and Quickbooks, wired initial deposit to Wells Fargo SBA Services, updated 3AM accumulated cost summary, relieved Accounts receivable for the accumulate cost, booked net loss.	3.20 135.00/hr	432.00
11/17/2015 KJ	Loan Servicing Ran and sent out borrower statements.	1.30 135.00/hr	175.50
11/23/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	0.60 135.00/hr	81.00
11/24/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	0.60 135.00/hr	81.00
11/25/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports.	0.60 135.00/hr	81.00
11/30/2015 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, entered deposits. Updated Loan Tape schedule with payments received. Closed out the month of Nov 2015 in ABS, reconciled 1502 report to ABS, ran monthly reports, ran and cleared out check registers.	2.40 135.00/hr	324.00
11/2/2015 MRF	Loan Servicing Deposited 7(a) loan payment received for November and made the accompanying accounting entries to Quickbooks.	2.90 70.00/hr	203.00
11/3/2015 MRF	Loan Servicing Deposited loan payments received and made the accompanying accounting entries in Quickbooks.	1.90 70.00/hr	133.00
11/5/2015 MRF	Loan Servicing Received 7(a) borrower loan payments for November, deposited, and made the accompanying accounting entries to Quickbooks.	2.80 70.00/hr	196.00
11/9/2015 MRF	Loan Servicing Deposited borrower loan payments for November and made the accompanying accounting entries to Quickbooks.	1.80 70.00/hr	126.00
11/10/2015 MRF	Loan Servicing Deposited borrower payments received for November and made the accompanying accounting entries to Quickbooks.	1.10 70.00/hr	77.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
11/12/2015	MRF Loan Servicing Deposited borrower loan payments received for November and made the accompanying accounting entries to Quickbooks.	0.80 70.00/hr	56.00
11/16/2015	MRF Loan Servicing Call from VS Investment group re refund of additional amount from payoff. Pulled payoff accounting and emailed to borrower with calculation of refund.	0.70 70.00/hr	49.00
11/18/2015	MRF Loan Servicing Deposited 7(a) borrower payments received and made the accompanying accounting entries in Quickbooks.	0.90 70.00/hr	63.00
	MRF Loan Servicing Received request from South County Bank for borrower's annual financial statements. Pulled financial records and forwarded re same.	0.30 70.00/hr	21.00
11/25/2015	MRF Loan Servicing Deposited borrower payment received and made the accompanying accounting entries to Quickbooks.	0.60 70.00/hr	42.00
11/2/2015	RVG Loan Servicing Received & responded to Brandon Er (BBCN Bank) /Thomas Seaman (Receiver) re: Aung Sun, LLC's Loan Payoff/Termination of UCC-1 Filing Lien on the personal property (business assets) collateral confirmation; Conferred & emailed K. Janulewicz re: Same as above. (Receiver) re: Same as above.	0.40 200.00/hr	80.00
11/3/2015	RVG Loan Servicing Received, copied, instructed & forwarded for processing to K. Janulewicz (Receiver) re: Myers Castle's Eminent Domain Proceeds Check & application of proceeds to loan balance.	0.30 200.00/hr	60.00
	RVG Loan Servicing Received, reviewed, analyzed & discussed with D.Walker (Borrower) re: TRC Holdings' additional required financial information, possible refinance/payoff of loan & waiver of pre-payment penalty.	0.70 200.00/hr	140.00
	RVG Loan Servicing Researched, reviewed, prepared & provided Brandon Er (BBNC) re: Aung-Sung, LLC's Termination of UCC-3 Filing.	0.50 200.00/hr	100.00
11/16/2015	TM Loan Servicing Received Notice of Cancellation for Ganlaon insurance. Called agent and informed of reinstatement. Email from agent with documentation.	0.10 175.00/hr	17.50
11/17/2015	TM Loan Servicing Gathered Ganlaon insurance certs and installed in docfiles.	0.30 175.00/hr	52.50
SUBTOTAL:		43.60	5,128.50

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	43.60	\$5,128.50
Balance due		<u>\$5,128.50</u>

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	43.60	\$5,128.50
Balance due		<u>\$5,128.50</u>

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**PROOF OF SERVICE**

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is 501 West Broadway, 15th Floor, San Diego, California 92101-3541.

On December 16, 2015, I served on interested parties in said action the within:

➤ **RECEIVER'S ADMINISTRATIVE MOTION FOR PAYMENT OF LOAN SERVICING COSTS FOR NOVEMBER 2015**

**BY U.S. MAIL:** by placing a true copy thereof in 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 would be deposited with the U.S. Postal Service in San Diego County on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Mark Feathers  
1520 Grant Road  
Los Altos, California 94024

*Pro Se* Defendant  
Tel: (650) 776-2496  
Fax: (650) 961-2382  
Email: markfeathers@sbcglobal.net

**BY OVERNIGHT DELIVERY:** by placing a true copy thereof in 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 would be 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 envelopes or packages designated by the express service carrier, with fees for overnight delivery paid or provided for.

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

Executed on December 16, 2015, at San Diego, California.

\_\_\_\_\_  
Ted Fates  
(Type or print name)

\_\_\_\_\_  
*/s/ Ted Fates*  
(Signature)