

1 THOMAS C. HEBRANK
Receiver
2 401 West A Street, Suite 1830
San Diego, California 92101
3 Phone: (619) 567-7223
Fax: (619) 567-7191
4 E-Mail: thebrank@ethreadvisors.com
5
6
7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 SECURITIES AND EXCHANGE
11 COMMISSION,

12 Plaintiff,

13 v.

14 PACIFIC WEST CAPITAL GROUP,
INC.; ANDREW B CALHOUN IV;
15 PWCG TRUST; BRENDA CHRISTINE
BARRY; BAK WEST, INC.;
16 ANDREW B CALHOUN JR.; ERIC
CHRISTOPHER CANNON; CENTURY
17 POINT, LLC; MICHAEL WAYNE
DOTTA; and CALEB AUSTIN
18 MOODY (dba SKY STONE),

19 Defendants.
20
21
22
23
24
25
26
27
28

Case No. 2:15-cv-02563-DDP-FFM

**SEVENTH INTERIM
APPLICATION FOR APPROVAL
AND PAYMENT OF FEES AND
COSTS TO THOMAS C. HEBRANK,
AS RECEIVER**

Date: March 9, 2020

Time: 10:00 a.m.

Ctrm.: 9C

Judge: Hon. Dean D. Pregerson

1 Thomas C. Hebrank ("Receiver"), the Court-appointed receiver for PWCG
2 Trust, hereby submits this seventh interim application for approval and payment of
3 fees and reimbursement of expenses ("Application"). This Application covers the
4 period from July 1, 2019 through September 30, 2019 ("Application Period"), and
5 seeks interim approval of \$11,126.25 in fees and \$1,459.66 in expenses, and an order
6 authorizing the Receiver to pay, on an interim basis, 80% of the fees incurred
7 (\$8,901.00) and 100% of expenses incurred.

8 Detailed descriptions of the services rendered are contained in Exhibit A
9 attached hereto. Exhibit B is a chart reflecting the hours and fees billed to each
10 category of services on a monthly basis during the Application Period. Exhibit C is a
11 summary of the out-of-pocket costs. During the Application Period, the Receiver
12 and his staff have spent 47.5 hours at an overall blended billing rate of \$234.24
13 per hour. The Receiver has discounted all fees by ten percent (10%) from regular
14 hourly billing rates. The financial status of the receivership estate during the
15 Application Period is reflected in the Receiver's Seventh Interim Report filed on
16 January 7, 2020. Dkt. No. 289.

17 I. FEE APPLICATION

18 The Receiver's work during the Application Period falls into the following
19 categories:

- 20 A. General Receivership
- 21 B. Reporting
- 22 C. Operations & Asset Sales

23 A. General Receivership

24 This category includes time spent by the Receiver on (a) communications with
25 numerous parties, including Plaintiff, Defendant, Mills Potoczak, and investors; (b)
26 review of filings, follow up, and posting to the receivership website; and (c) other
27 administrative items.

Name	Title	Rate	Hours	Fees
T. Hebrank	Receiver	\$292.50	3.6	\$1,053.00
G. Rodriguez	Mng. Director	\$256.50	.7	\$179.55
A. Herren	Investor Rel.	\$121.50	15.7	\$1,907.55
TOTAL			20.0	\$3,140.10
Avg. Hourly Rate		\$157.01		

B. Reporting

This category contains time spent by the Receiver preparing reports for the Court as well as monthly case updates to the investors. Specifically, during this period, the Receiver assisted with the preparation, review and revision of the Receiver's Sixth Interim Report and Recommendations filed on August 28, 2019. Dkt. No. 264.

Name	Title	Rate	Hours	Fees
T. Hebrank	Receiver	\$292.50	6.3	\$1,842.75
G. Rodriguez	Mng. Director	\$256.50	.8	\$205.20
TOTAL			7.1	\$2,047.95
Avg. Hourly Rate		\$288.44		

C. Operations & Asset Sales

The Receiver's work in this category relates to (a) meetings and calls with the parties, including counsel for the Securities and Exchange Commission, Mills Potoczak, and itm/21st; (b) review of files, software, databases and schedules relating to investors, premium payments; (c) preparing and reviewing cash projections and needs; (d) management and oversight of premium payment process, sales of certain negative value policies, and lapses/surrender of negative value policies that could not be sold; and the review of various tax entity types and determination of best overall entity type for purposes of the PWCG Trust.

Name	Title	Rate	Hours	Fees
T. Hebrank	Receiver	\$292.50	19.6	\$5,733.00
G. Rodriguez	Mng. Director	\$256.50	.8	\$205.20
TOTAL			20.4	\$5,938.20
Avg. Hourly Rate		\$291.09		

D. Costs

The Receiver requests the Court approve \$1,459.66 in costs. A detailed listing of each expense is summarized in Exhibit C. The Application Period included the document shipping charges, as well as monthly costs for the receivership website and investor mailings.

II. FEES AND COSTS INCURRED AND PAID TO DATE

From inception of the receivership through September 30, 2019, the Receiver incurred fees and costs of \$199,249.68, of which amount \$36,720.27 is subject to holdback pending approval of the Receiver's final fee application at the conclusion of the receivership, \$12,585.91 is awaiting the Court's review and approval, and \$152,168.75 has been approved by the Court and paid to date. During the same time period, Allen Matkins has incurred fees and costs of \$511,979.43, of which amount \$101,212.74 is subject to holdback pending approval of Allen Matkins' final fee application at the conclusion of the receivership, \$70,969.35 is awaiting the Court's review and approval, and \$353,782.17 has been approved by the Court and paid to date. Finally, during the same time period, MPC has incurred fees and costs totaling \$154,603.91, of which amount \$18,282.97 is awaiting the Court's review and approval, and \$136,320.94 has been approved by the Court and paid to date.

III. STANDARDIZED FUND ACCOUNTING REPORT

Attached hereto as Exhibit D is a Standardized Fund Accounting Report covering the time period from July 1, 2019 through September 30, 2019 to coincide with the end of the Application Period.

**IV. THE REQUESTED FEES ARE REASONABLE
AND SHOULD BE ALLOWED**

"As a general rule, the expenses and fees of a receivership are a charge upon the property administered." *Gaskill v. Gordon*, 27 F.3d 248, 251 (7th Cir. 1994). These expenses include the fees and expenses of this Receiver and his professionals, including Allen Matkins. Decisions regarding the timing and amount of an award of fees and costs to the Receiver and his Professionals are committed to the sound discretion of the Court. See *SEC v. Elliot*, 953 F.2d 1560, 1577 (11th Cir. 1992) (rev'd in part on other grounds, 998 F.2d 922 (11th Cir. 1993)).

In allowing fees, a court should consider "the time, labor and skill required, but not necessarily that actually expended, in the proper performance of the duties imposed by the court upon the receiver[], the fair value of such time, labor and skill measured by conservative business standards, the degree of activity, integrity and dispatch with which the work is conducted and the result obtained." *United States v. Code Prods. Corp.*, 362 F. 2d 669, 673 (3d Cir. 1966) (internal quotation marks omitted). In practical terms, receiver and professional compensation thus ultimately rests upon the result of an equitable, multi-factor balancing test involving the "economy of administration, the burden that the estate may be able to bear, the amount of time required, although not necessarily expended, and the overall value of the services to the estate." *In re Imperial 400 Nat'l, Inc.*, 432 F.2d 232, 237 (3d Cir. 1970). Regardless of how this balancing test is formulated, no single factor is determinative and "a reasonable fee is based [upon] all circumstances surrounding the receivership." *SEC v. W.L. Moody & Co., Bankers (Unincorporated)*, 374 F. Supp. 465, 480 (S.D. Tex. 1974).

As a preliminary matter, the Judgment appointing the Receiver confers on the Receiver substantial duties and powers, including to conduct such investigation and discovery as is necessary to locate and account for all receivership assets, take such action as is necessary and appropriate to assume control over and preserve

1 receivership assets, and employ attorneys and others to investigate and, where
2 appropriate, institute, pursue, and prosecute all claims and causes of action of
3 whatever kind and nature. *See* Dkt. 145, Section III.

4 The Receiver believes this fee request is fair and reasonable and the fees and
5 costs incurred were necessary to the administration of the receivership estate. The
6 Receiver has submitted a detailed fee application which describes the nature of the
7 services rendered, and the identity and billing rate of each individual performing
8 each task. *See* Exhibit A. The Receiver's request for compensation is based on his
9 customary billing rates charged in similar matters, discounted by 10 percent. The
10 blended hourly rate for all services provided during the Application Period is
11 \$234.24. The Receiver's billing rates are comparable or less than those charged in
12 the community on similarly complex matters.

13 **V. CONCLUSION**

14 The Receiver has worked diligently and efficiently in fulfilling his duties and
15 has provided valuable service in that regard.

16 WHEREFORE, the Receiver requests an order:

17 1. Approving \$11,126.25 in fees and \$1,459.66 in costs incurred by the
18 Receiver during the Application Period and authorizing payment on an interim basis
19 of \$8,901.00 in fees and \$1,459.66 in costs from available receivership estate cash;
20 and

21 2. Granting such other and further relief as is appropriate.

22 Dated: February 4, 2020

23 By: 
24 THOMAS C. HEBRANK,
25 Permanent Receiver
26
27
28

EXHIBIT “A”

SEC - PWCG Trust
July 2019

Date	Description of Services	Hours	Personnel	Per Hour	Total Fee	Billing Category Allocation					
						A	B	C	D	E	F
7/1/2019	Notification of policy maturity (1) Review updated investor contribution schedule and provide info to alltrays re: BroadRiver (5) Investor and misc correspondence (2)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00	0.2			0.6		
7/1/2019	Conferred with two (2) and corresponded with five (5) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (7)										
7/2/2019	Review MPC billing (2) Investor and misc correspondence (2)	0.7	Herren, A.	\$ 121.50	\$ 85.05	0.7					
7/3/2019	Review updated investor schedules. Conf call with alltrays on BroadRiver claim (1) Perform present value calculations on BroadRiver potential settlement. (6)	0.4	Hebrank, T.	\$ 292.50	\$ 117.00	0.4					
7/5/2019	Conferred with two (2) and corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (7)	1.7	Hebrank, T.	\$ 292.50	\$ 497.25				1.7		
7/8/2019	Follow up correspondence on BroadRiver info (2) Correspondence on payment endorsements (1)	0.7	Herren, A.	\$ 121.50	\$ 85.05	0.7					
7/8/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (1)	0.3	Hebrank, T.	\$ 292.50	\$ 87.75				0.3		
7/9/2019	Investor correspondence (1)	0.1	Herren, A.	\$ 121.50	\$ 12.15	0.1					
7/10/2019	Misc and investor correspondence	0.1	Hebrank, T.	\$ 292.50	\$ 29.25	0.1					
7/10/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (1)	0.2	Hebrank, T.	\$ 292.50	\$ 58.50	0.2					
7/11/2019	Make July premium payments (4) Follow up with MPC on BroadRiver issues. Correspondence with alltrays re: same (4) Investor and misc correspondence (3)	0.1	Herren, A.	\$ 121.50	\$ 12.15	0.1					
7/11/2019	Corresponded with three (3) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (3)	1.1	Hebrank, T.	\$ 292.50	\$ 321.75	0.3			0.8		
7/11/2019	Prepared and distributed FedEx and transmittal for policy premium payments, scanned and archived same, corresponded with N. Song and T. Hebrank re tracking information and confirmation of same. (6)	0.3	Herren, A.	\$ 121.50	\$ 36.45	0.3					
7/12/2019	Conferred with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (5)										
7/14/2019	Review BroadRiver response and follow up	1.3	Herren, A.	\$ 121.50	\$ 157.95	1.3					
7/15/2019	Prepare monthly investor case update and updated policy schedule Review and have posted on website and sent out to investors (2.2) Investor and misc correspondence (2)	0.1	Hebrank, T.	\$ 292.50	\$ 29.25				0.1		
7/15/2019	Corresponded with four (4) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (4)	2.4	Hebrank, T.	\$ 292.50	\$ 702.00	0.2		2.2			
7/16/2019	Wire funds and out checks for premium payments (4) Follow up on taxes (1) Deposit MPC Trust checks (3)	0.4	Herren, A.	\$ 121.50	\$ 48.60	0.4					
7/16/2019	Prepared and distributed FedEx and transmittal for policy premium payments, scanned and archived same, corresponded with N. Song and T. Hebrank re tracking information and confirmation of same. (5)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00				0.8		
7/17/2019	Conferred with one (1) and corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (4)	0.5	Herren, A.	\$ 121.50	\$ 60.75	0.5					
7/18/2019	Correspondence on tax options	0.4	Herren, A.	\$ 121.50	\$ 48.60	0.4					
7/18/2019	Conferred with three (3) and corresponded with three (3) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (1.0)	0.2	Hebrank, T.	\$ 292.50	\$ 58.50				0.2		
7/19/2019	Post filings to website (2)	1.0	Herren, A.	\$ 121.50	\$ 121.50	1.0					
		0.2	Hebrank, T.	\$ 292.50	\$ 58.50	0.2					

8.4	Hebrank, T.	\$ 292.50	\$ 2,457.00	\$ 488.00	\$ -	\$ 643.50	\$ 1,345.50	\$ -
0.3	Rodriguez, G.	\$ 256.50	\$ 76.95	\$ 76.95	\$ -	\$ -	\$ -	\$ -
6.5	Herrn, A.	\$ 121.50	\$ 789.75	\$ 789.75	\$ -	\$ -	\$ -	\$ -
15.2		\$ 3323.70	\$ 1,334.70	\$ 1,334.70	\$ -	\$ 643.50	\$ 1,345.50	\$ -

SEC - PWCG Trust
August 2019

August 2019

Billing Category Allocation											
Date	Description of Services	Hours	Personnel	Per Hour	Total Fee	A	B	C	D	E	F
8/1/2019	Conferred with two (2) and corresponded with eight (8) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (1.4)	1.4	Herrin, A.	\$ 121.50	\$ 170.10	1.4					
8/5/2019	MPC and other correspondence (3) Make premium wire payments (3)	0.6	Hebrank, T.	\$ 292.50	\$ 175.50				0.6		
8/9/2019	Review order, post items to website.	0.2	Hebrank, T.	\$ 292.50	\$ 58.50	0.2					
8/12/2019	Prepare for and conf call with attys (7) Make premium payments (2)	0.9	Hebrank, T.	\$ 292.50	\$ 263.25				0.9		
8/13/2019	Correspondence on tax planning. Investor correspondence.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00	0.4					
8/13/2019	Prepared and distributed FedEx and transmittal for policy premium payments; scanned and archived same; corresponded with N. Song and T. Hebrank re tracking information and confirmation of same. (8)	0.8	Herrin, A.	\$ 121.50	\$ 97.20	0.8					
8/13/2019	Coordinated posting of monthly case update. (4) Reviewed files provided by T. Hebrank, researched software and corresponded with T. Hebrank re same. (4)	0.8	Rodriguez, G.	\$ 256.50	\$ 205.20				0.8		
8/14/2019	Prepare monthly policy schedule update. Prepare monthly investor case update and disseminate.	1.3	Hebrank, T.	\$ 292.50	\$ 380.25			1.3			
8/14/2019	Corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (2)	0.2	Herrin, A.	\$ 121.50	\$ 24.30	0.2					
8/15/2019	Investor correspondence.	0.3	Hebrank, T.	\$ 292.50	\$ 87.75	0.3					
8/15/2019	Corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (2)	0.2	Herrin, A.	\$ 121.50	\$ 24.30	0.2					
8/15/2019	Conferred with investors re questions on IRA. (2)	0.2	Rodriguez, G.	\$ 256.50	\$ 51.30	0.2					
8/16/2019	Make premium payments (3) Bank deposit of maturity check (2) Update call with itm/21st (3)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00	0.2			0.6		
8/16/2019	Conferred with three (3) and corresponded with five (5) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (1.5)	1.5	Herrin, A.	\$ 121.50	\$ 182.25	1.5					
8/19/2019	Follow up on tax issues.	0.2	Hebrank, T.	\$ 292.50	\$ 58.50				0.2		
8/20/2019	Correspondence on maturity check (1) Correspondence and call with Atty Fates on MPC letter, outstanding issues (3)	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
8/20/2019	Prepared and distributed FedEx and transmittal for policy premium payments; scanned and archived same; corresponded with N. Song and T. Hebrank re tracking information and confirmation of same. (5)										
8/20/2019	Corresponded with three (3) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (3)	0.8	Herrin, A.	\$ 121.50	\$ 97.20	0.8					
8/21/2019	Inquire of banks as to rates for maturity check (4) Call with T Fates on taxes and engagement of tax accountant. Correspondence and call with tax accountant (6)	1.0	Hebrank, T.	\$ 292.50	\$ 292.50				1.0		
8/21/2019	Provided T. Hebrank re information requested for receiver's report. (5)	0.5	Rodriguez, G.	\$ 256.50	\$ 128.25			0.5			
8/22/2019	Discuss terms of engagement of tax accountants. Review and respond to engagement letter (6)	0.6	Hebrank, T.	\$ 292.50	\$ 175.50				0.6		
8/22/2019	Conferred with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (5)	0.5	Herrin, A.	\$ 121.50	\$ 60.75	0.5					
8/23/2019	Operational correspondence with itm/21st (3) Inquire as to addn bank acct rates (4) Investor correspondence (1)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00	0.1			0.7		
8/23/2019	Conferred with one (1) and corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (4)	0.4	Herrin, A.	\$ 121.50	\$ 48.60	0.4					
8/25/2019	Review and update Receiver's Report. Review financials and prepare SFAR. Reconcile to monthly reporting schedules.	2.4	Hebrank, T.	\$ 292.50	\$ 702.00			2.4			

8/26/2019	Operational update and correspondence. Tax correspondence.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
8/26/2019	Conferred with investor re questions on IRA. (2)	0.2	Rodriguez, G.	\$ 256.50	\$ 51.30	0.2					
8/27/2019	Open new Chase account and deposit funds (4) Correspondence and call on tax preparation (5) Correspondence with attorneys (2) Call with item 21st (4) Update on maturities (1)	1.4	Hebrank, T.	\$ 292.50	\$ 409.50				1.4		
8/28/2019	Modifications to Receiver's Report (4) Go to Chase to open CD (3) Discuss investor questions (2) Correspondence with attorneys and tax accountant (4)	1.3	Hebrank, T.	\$ 292.50	\$ 380.25	0.2			0.4	0.7	
8/28/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership (1)	0.1	Herrin, A.	\$ 121.50	\$ 12.15	0.1					
8/29/2019	Correspondence on taxes (2) Update with attorneys (2) Review filing, post to website (1) Investor correspondence (1)	0.6	Hebrank, T.	\$ 292.50	\$ 175.50	0.2				0.4	
8/29/2019	Conferred with one (1) and corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership (3)	0.3	Herrin, A.	\$ 121.50	\$ 36.45	0.3					
8/30/2019	Investor calls and tax update.	0.3	Hebrank, T.	\$ 292.50	\$ 87.75	0.1				0.2	
8/30/2019	Conferred with one (1) and corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership (3)	0.3	Herrin, A.	\$ 121.50	\$ 36.45	0.3					
Grand Total		22.1		\$ 5,291.55		8.6	0.0	4.6	8.9	0.0	0.0
13.9	Hebrank, T.			\$ 292.50	\$ 4,085.75	\$ 497.25	\$ -	\$ 1,199.25	\$ 2,389.25	\$ -	\$ -
1.7	Rodriguez, G.			\$ 256.50	\$ 436.05	\$ 102.60	\$ -	\$ 128.25	\$ 205.20	\$ -	\$ -
6.5	Herrin, A.			\$ 121.50	\$ 789.75	\$ 789.75	\$ -	\$ -	\$ -	\$ -	\$ -
22.1				\$ 5,291.55	\$ 1,389.60	\$ 1,389.60	\$ -	\$ 1,327.50	\$ 2,574.45	\$ -	\$ -

SEC - PWCG Trust
September 2019

Billing Category Allocation											
Date	Description of Services	Hours	Personnel	Per Hour	Total Fee	A	B	C	D	E	F
9/3/2019	Tax and investor correspondence	0.2	Hebrank, T.	\$ 292.50	\$ 58.50	0.2					
9/7/2019	Review and approve premium payments. Transfer funds and grant bank access.	0.6	Hebrank, T.	\$ 292.50	\$ 175.50				0.6		
9/8/2019	Correspondence on tax issues and set up meeting (5)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00				0.8		
9/9/2019	Correspondence with Atty Fates on litigation issues (3)	0.8	Hebrank, T.	\$ 292.50	\$ 234.00				0.8		
9/10/2019	Make premium payments (3) Conf call on tax issues and treatment (5)										
9/10/2019	Prepared and distributed FedEx and transmittal for policy premium payments, scanned and archived same; corresponded with N. Song and T. Hebrank re tracking information and confirmation of same. (10)	1.0	Herren, A.	\$ 121.50	\$ 121.50	1.0					
9/11/2019	Correspondence on tax issues	0.3	Hebrank, T.	\$ 292.50	\$ 87.75				0.3		
9/11/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims, and status of receivership. (1)	0.1	Herren, A.	\$ 121.50	\$ 12.15	0.1					
9/13/2019	Review and execute tax documents. Investor correspondence.	0.6	Hebrank, T.	\$ 292.50	\$ 175.50	0.1			0.5		
9/16/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims, and status of receivership. (1)	0.1	Herren, A.	\$ 121.50	\$ 12.15	0.1					
9/17/2019	Multiple correspondence on tax issues and types of documentation received.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
9/17/2019	Corresponded with one (1) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims, and status of receivership. (1)	0.1	Herren, A.	\$ 121.50	\$ 12.15	0.1					
9/18/2019	Conferred with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (5)	0.5	Herren, A.	\$ 121.50	\$ 60.75	0.5					
9/19/2019	Tax and atty correspondence.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
9/19/2019	Coordinated monthly case update.	0.3	Rodriguez, G.	\$ 266.50	\$ 76.95			0.3			
9/21/2019	Review tax correspondence and status.	0.3	Hebrank, T.	\$ 292.50	\$ 87.75				0.3		
9/23/2019	Correspondence on tax deadlines and status, items needed.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
9/25/2019	Conferred with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims and status of receivership. (5)	0.5	Herren, A.	\$ 121.50	\$ 60.75	0.5					
9/26/2019	Corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims, and status of receivership. (2)	0.2	Herren, A.	\$ 121.50	\$ 24.30	0.2					
9/27/2019	Tax correspondence.	0.4	Hebrank, T.	\$ 292.50	\$ 117.00				0.4		
9/28/2019	Correspondence on tax preparation.	0.3	Hebrank, T.	\$ 292.50	\$ 87.75				0.3		
9/30/2019	Conf call with attorneys on tax status and issues (4) Multiple communications with tax firm on tax issues and status (6) Follow up on 2018 estimated figures (4) Correspond with parties on status and division of responsibilities (3)	1.7	Hebrank, T.	\$ 292.50	\$ 497.25				1.7		
9/30/2019	Corresponded with two (2) investor(s) re case updates, contact information, policy maturities, policy status, policy payments, IRA accounts, claims, and status of receivership. (2)	0.2	Herren, A.	\$ 121.50	\$ 24.30	0.2					
Grand Total		10.2			\$ 2,511.00	3.0	0.0	0.3	6.9	0.0	0.0

7.2	Hebrank, T.	\$ 292.50	\$ 2,106.00	\$ 87.75	\$ -	\$ -	\$ 2,018.25	\$ -	\$ -	\$ -	\$ -
0.3	Rodriguez, G.	\$ 266.50	\$ 76.95	\$ -	\$ -	\$ 76.95	\$ -	\$ -	\$ -	\$ -	\$ -
2.7	Herren, A.	\$ 121.50	\$ 328.05	\$ 328.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10.2		\$ 2,511.00	\$ 415.60	\$ -	\$ -	\$ 76.95	\$ 2,018.25	\$ -	\$ -	\$ -	\$ -

7.2	Hebrank, T.	\$ 292.50	\$ 2,106.00	\$ 87.75	\$ -	\$ -	\$ -	\$ 2,018.25	\$ -	\$ -	\$ -
0.3	Rodriguez, G.	\$ 266.50	\$ 76.95	\$ -	\$ -	\$ -	\$ 76.95	\$ -	\$ -	\$ -	\$ -
2.7	Herren, A.	\$ 121.50	\$ 328.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
10.2		\$ 2,511.00	\$ 415.80	\$ -	\$ -	\$ -	\$ 76.95	\$ 2,018.25	\$ -	\$ -	\$ -

EXHIBIT “B”

**SEC - PWCG Trust
Fee Application #7 Summary - Fees**

Date	Hours	Personnel	Per Hour	Total Fee	Billing Category Allocation					
					A	B	C	D	E	F
July 19 Fees	8.4	Hebrank, T.	\$ 292.50	\$ 2,457.00	\$ 468.00	\$ -	\$ 643.50	\$ 1,345.50	\$ -	\$ -
	0.3	Rodriguez, G.	\$ 256.50	\$ 76.95	\$ 76.95	\$ -	\$ -	\$ -	\$ -	\$ -
	6.5	Herren, A.	\$ 121.50	\$ 789.75	\$ 789.75	\$ -	\$ -	\$ -	\$ -	\$ -
	15.2			\$ 3,323.70	\$ 1,334.70	\$ -	\$ 643.50	\$ 1,345.50	\$ -	\$ -
August 19 Fees	13.9	Hebrank, T.	\$ 292.50	\$ 4,065.75	\$ 497.25	\$ -	\$ 1,199.25	\$ 2,369.25	\$ -	\$ -
	1.7	Rodriguez, G.	\$ 256.50	\$ 436.05	\$ 102.60	\$ -	\$ 128.25	\$ 205.20	\$ -	\$ -
	6.5	Herren, A.	\$ 121.50	\$ 789.75	\$ 789.75	\$ -	\$ -	\$ -	\$ -	\$ -
	22.1			\$ 5,291.55	\$ 1,389.60	\$ -	\$ 1,327.50	\$ 2,574.45	\$ -	\$ -
Sept 19 Fees	7.2	Hebrank, T.	\$ 292.50	\$ 2,106.00	\$ 87.75	\$ -	\$ -	\$ 2,018.25	\$ -	\$ -
	0.3	Rodriguez, G.	\$ 256.50	\$ 76.95	\$ -	\$ -	\$ 76.95	\$ -	\$ -	\$ -
	2.7	Herren, A.	\$ 121.50	\$ 328.05	\$ 328.05	\$ -	\$ -	\$ -	\$ -	\$ -
	10.2			\$ 2,511.00	\$ 415.80	\$ -	\$ 76.95	\$ 2,018.25	\$ -	\$ -
Grand Total	29.5	Hebrank, T.	\$ 292.50	\$ 8,628.75	\$ 1,053.00	\$ -	\$ 1,842.75	\$ 5,733.00	\$ -	\$ -
	2.3	Rodriguez, G.	\$ 256.50	\$ 589.95	\$ 179.55	\$ -	\$ 205.20	\$ 205.20	\$ -	\$ -
	15.7	Herren, A.	\$ 121.50	\$ 1,907.55	\$ 1,907.55	\$ -	\$ -	\$ -	\$ -	\$ -
	47.5	Total		\$ 11,126.25	\$ 3,140.10	\$ -	\$ 2,047.95	\$ 5,938.20	\$ -	\$ -

**SEC - PWCG Trust
Fee Application #7 Summary - Hours**

Billing Category Allocation											
Date	Description of Services	Hours	Personnel	Per Hour	Total Fee	A	B	C	D	E	F
July 19 Hours	8.4	Hebrank, T.				1.6	0.0	2.2	4.6	0.0	0.0
	0.3	Rodriguez, G.				0.3	0.0	0.0	0.0	0.0	0.0
	6.5	Herren, A.				6.5	0.0	0.0	0.0	0.0	0.0
	15.2					8.4	0.0	2.2	4.6	0.0	0.0
August 19 Hours	13.9	Hebrank, T.				1.7	0.0	4.1	8.1	0.0	0.0
	1.7	Rodriguez, G.				0.4	0.0	0.5	0.8	0.0	0.0
	6.5	Herren, A.				6.5	0.0	0.0	0.0	0.0	0.0
	22.1					8.6	0.0	4.6	8.9	0.0	0.0
Sept 19 Hours	7.2	Hebrank, T.				0.3	0.0	0.0	6.9	0.0	0.0
	0.3	Rodriguez, G.				0.0	0.0	0.3	0.0	0.0	0.0
	2.7	Herren, A.				2.7	0.0	0.0	0.0	0.0	0.0
	10.2					3.0	0.0	0.3	6.9	0.0	0.0
Grand Total	29.5	Hebrank, T.				3.6	0.0	6.3	19.6	0.0	0.0
	2.3	Rodriguez, G.				0.7	0.0	0.8	0.8	0.0	0.0
	15.7	Herren, A.				15.7	0.0	0.0	0.0	0.0	0.0
	47.5					20.0	0.0	7.1	20.4	0.0	0.0

EXHIBIT “C”

SEC - PWCG Trust
Fee Application #7 - Costs

Date	Description	Expense	Personnel
7/31/2019	Website	\$ 480.00	E3
7/31/2019	FedEx	\$ 132.84	E3
7/31/2019	Postage	\$ 4.40	E3
7/31/2019	Copies 312 @ .15	\$ 46.80	E3
	Total	\$ 664.04	
8/31/2019	Website	\$ 480.00	E3
8/31/2019	FedEx	\$ 132.52	E3
8/31/2019	Postage	\$ 4.95	E3
8/31/2019	Copies 285 @ .15	\$ 42.75	E3
	Total	\$ 660.22	
9/30/2019	Website	\$ -	E3
9/30/2019	FedEx	\$ 99.15	E3
9/30/2019	Postage	\$ 3.85	E3
9/30/2019	Copies 216 @ .15	\$ 32.40	E3
	Total	\$ 135.40	
	Grand Total	\$ 1,459.66	

EXHIBIT “D”

Thomas C. Hebrank, Receiver
E3 Advisors
401 West A Street, Suite 1830
San Diego, CA 92101
(619) 567-7223

STANDARDIZED FUND ACCOUNTING REPORT

CIVIL - RECEIVERSHIP FUND

SECURITIES AND EXCHANGE COMMISSION,
Plaintiff,

v.

PACIFIC WEST CAPITAL GROUP, INC.; ANDREW B CALHOUN IV; PWCG TRUST; et
al, Defendants

Case No. 2:15-cv-02563 FMO (FFMx)

REPORTING PERIOD 06/01/19 TO 09/30/19

FUND ACCOUNTING (See instructions):			
	Detail	Subtotal	Grand Total
Line 1 Beginning Balance (As of 06/01/19):	9,729,685		9,729,685
<i>Increases in Fund Balance:</i>			
Line 2 Business Income			-
Line 3 Policy Maturities	6,260,814		6,260,814
Line 4 Interest/Dividend Income	25,207		25,207
Line 5 Business Asset Liquidation	11,408		11,408
Line 6 Personal Asset Liquidation			-
Line 7 Third-Party Litigation Income			-
Line 8 Misc - Insurance & Prop Tax Refunds			-
Total Funds Available (Lines 1 - 8):	16,027,114		16,027,114
<i>Decreases in Fund Balance:</i>			
Line 9 Disbursements to Investors	-		-
Line 10 Disbursements to Receivership Operations			
Line 10a Disbursement to Receiver or Other Professionals	(115,473)		(115,473)
Line 10b Business Asset Expenses	(1,526,965)		(1,526,965)
Line 10c Personal Asset Expenses	-		-
Line 10d Investment Expenses	-		-
Line 10e Third-Party Litigation Expenses	-		-
1. Attorney Fees	-		-
2. Litigation Expenses	-		-
Total Third-Party Litigation Expenses	-		-
Line 10f Tax Administrator Fees and Bonds	-		-
Line 10g Federal and State Tax Payments	-		-
Total Disbursements for Receivership Operations			(1,642,438)
Line 11 Disbursements for Distribution Expenses Paid by the Fund:			
Line 11a Distribution Plan Development Expenses:			
1. Fees:			
Fund Administrator.....	-		-
Independent Distribution Consultant (IDC).....	-		-
Distribution Agent.....	-		-
Consultants.....	-		-
Legal Advisors.....	-		-
Tax Advisors.....	-		-
2. Administrative Expenses	-		-
3. Miscellaneous	-		-
Total Plan Developmental Expenses			-
Line 11b Distribution Plan Implementation Expenses:			
1. Fees:			
Fund Administrator.....	-		-
IDC.....	-		-
Distribution Agent.....	-		-
Consultants.....	-		-
Legal Advisors.....	-		-
Tax Advisors.....	-		-
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) Reports Expenses	-		-
Total Plan Implementation Expenses			-
Total Disbursements for Distribution Expenses Paid by the Fund			-
Line 12 Disbursements to Court/Other:			
Line 12a Investment Expenses/Court Registry Investment System (CRIS) Fees	-		-
Line 12b Federal Tax Payments	-		-
Total Disbursement to Court/Other:			-
Total Funds Disbursed (Lines 9 - 11):			(1,642,438)
Line 13 Ending Balance (As of 09/30/2019):			14,384,676

Line 14 Ending Balance of Fund - Net Assets:			
Line 14a	Cash & Cash Equivalents		14,384,676
Line 14b	Investments		-
Line 14c	Other Assets or Uncleared Funds		-
Total Ending Balance of Fund - Net Assets			14,384,676
OTHER SUPPLEMENTAL INFORMATION:			
		Detail	Subtotal
			Grand Total
Report of Items NOT to be Paid by the Fund:			
Line 15 Disbursement for Plan Administration Expenses Not Paid by the Fund:			
Line 15a Plan Development Expenses Not Paid by the Fund:			
1. Fees:			
	Fund Administrator.....	-	-
	IDC.....	-	-
	Distribution Agent.....	-	-
	Consultants.....	-	-
	Legal Advisors.....	-	-
	Tax Advisors.....	-	-
2. Administrative Expenses		-	-
3. Miscellaneous		-	-
Total Plan Developmental Expenses Not Paid by the Fund			-
Line 15b Plan Implementation Expenses Not Paid by the Fund			
1. Fees:			
	Fund Administrator.....	-	-
	IDC.....	-	-
	Distribution Agent.....	-	-
	Consultants.....	-	-
	Legal Advisors.....	-	-
	Tax Advisors.....	-	-
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. FAIR Reporting Expenses		-	-
Total Plan Implementation Expenses Not Paid by the Fund			-
Line 15c Tax Administrator Fees & Bonds Not Paid by the Fund			-
Total Disbursements for Plan Administration Expenses Not Paid by the Fund			-
Line 16 Disbursements to Court/Other Not Paid by the Fund:			
Line 16a	Investment Expenses/CRIS Fees	-	-
Line 16b	Federal Tax Payments	-	-
Total Disbursement to Court/Other Not Paid by the Fund:			-
Line 17 DC & State Tax Payments		-	-
Line 18 No. of Claims:			
Line 18a	# of Claims Received This Reporting Period.....		0
Line 18b	# of Claims Received Since Inception of Fund.....		0
Line 19 No. of Claimants/Investors:			
Line 19a	# of Claimants/Investors Paid this Reporting Period.....		0
Line 19b	# of Claimants/Investors Paid Since Inception of Fund.....		0

Receiver:

By:

Thomas C. Hebrank
 Court-Appointed Receiver

Date:

1/6/20

PWCG Trust

Quarterly Operating Report - Financial Summaries

	RR#1	RR#2	RR#3	RR#4	RR#5	RR#6	RR#7
Beginning Cash	8,760,000	7,980,330	11,045,530	8,362,202	5,457,403	5,751,008	9,729,685
<u>Receipts</u>							
Policy Maturities	-	5,073,731	-	-	1,332,296	5,508,404	6,260,814
Interest Income	204	625	735	550	370	6,438	25,207
Miscellaneous - Other					129		
Policy Sales	-	-	-	-	850,000	258,408	11,408
Total Receipts	204	5,074,356	735	550	2,182,795	5,773,249	6,297,429
<u>Disbursements</u>							
Disbursements to Receiver/Professionals	-	-	(126,945)	(129,623)	(80,615)	(55,623)	(115,473)
Business Asset Expenses	(779,874)	(2,009,156)	(2,557,118)	(2,775,727)	(1,808,575)	(1,679,249)	(1,526,965)
Less: In & Out Transactions							
Net Business Asset Expenses	(779,874)	(2,009,156)	(2,684,062)	(2,905,350)	(1,889,190)	(1,734,873)	(1,642,438)
Federal and State Tax Payments	-	-	-	-	-	(59,700)	
Total Disbursements	(779,874)	(2,009,156)	(2,684,062)	(2,905,350)	(1,889,190)	(1,794,573)	(1,642,438)
Ending Cash	7,980,330	11,045,530	8,362,202	5,457,403	5,751,008	9,729,685	14,384,676
<u>Bank Statements</u>							
Checking		160,970	191,907	91,557	52,497	128,712	47,681
PWCG Trust #1		6,868,818	2,966,029	2,599,589	2,466,436	2,036,614	1,536,979
PWCG Trust #2		4,015,743	5,204,266	2,766,256	3,232,076	2,049,881	1,931,300
CD							5,329,347
CBB						5,514,478	5,539,369
	-	11,045,530	8,362,202	5,457,403	5,751,008	9,729,685	14,384,676