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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

JUSTIN ROBERT KING; AND
ELEVATE INVESTMENTS, LLC,

Defendants,

and

SHANNON LEIGH KING,

Relief Defendant.

Case No. SACV20-02398-JVS
(DFMx)

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
MOTION OF RECEIVER, JEFFREY
E. BRANDLIN, FOR ORDER IN
AID OF IMPLEMENTATION OF
THE ORDER APPOINTING THE
PERMANENT RECEIVER;
DECLARATION OF JEFFREY E.
BRANDLIN IN SUPPORT**

[Notice of Motion and Motion
submitted concurrently herewith]

DATE: August 1, 2022
TIME: 1:30 p.m.
CTRM: 10C
JUDGE: Hon. James V. Selna

**TO THE HONORABLE JAMES V. SELNA, UNITED STATES DISTRICT
JUDGE, AND THE PARTIES AND THEIR COUNSEL OF RECORD:**

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1 **I. INTRODUCTION**

2 In accordance with sections IX.A, E & J of the *Preliminary Injunction*
 3 *and Appointment of a Permanent Receiver* [Docket No. 26] (the
 4 "Receivership Order") and the law governing federal equity receiverships,
 5 Jeffrey E. Brandlin, in his capacity as the Court-appointed permanent
 6 receiver (the "Receiver") over Elevate Investments, LLC, and its subsidiaries
 7 and affiliates (together, "Elevate"), respectfully requests that the Court enter
 8 an order clarifying that the funds and assets held in four accounts detailed
 9 herein are property of the receivership estate, or, in the alternative,
 10 expanding the receivership estate (the "Receivership Estate") to include
 11 such funds and assets. As detailed below, the funds and assets in these
 12 accounts are traceable to investor funds, Elevate, and/or funds that were
 13 commingled with investor and/or Elevate funds. Therefore, these funds and
 14 assets should be explicitly brought into the Receivership Estate so that they
 15 can be preserved and administered for the investors' benefit. The Receiver
 16 understands that the Securities and Exchange Commission (the "SEC") has
 17 no objection to the Motion.

18 19 **II. BACKGROUND FACTS**

20 **A. Procedural Background**

21 In late December 2020, the SEC commenced this litigation against
 22 defendants Justin Robert King and Elevate Investments, LLC, alleging
 23 violations of federal securities laws. On December 28, 2020, the Court
 24 issued an *ex parte* temporary restraining order freezing certain assets,
 25 including the four accounts detailed below, and appointing the Receiver as
 26 the temporary receiver. On January 19, 2021, the Court issued the
 27 Receivership Order, appointing the Receiver in a permanent capacity. (See
 28 Docket No. 26).

B. The Accounts

The Receiver believes that the following four accounts (collectively, the "Accounts") should be explicitly brought into the Receivership Estate:

Brokerage/Bank Name	Account Name	Account No.
Charles Schwab & Co.	Justin Robert King (the "Justin King Schwab Account")	xxxx-5708
Charles Schwab & Co.	Shannon King (the "Shannon King Schwab Account")	xxxx-4019
JPMorgan Chase Bank	Arizona Investment Kings (the "Arizona Investment Kings Account")	xxxx3592
JPMorgan Chase Bank	Area Auto Glass LLC (the "Area Auto Glass Chase Account")	xxxx8687

C. The Funds and Assets On Hand In the Accounts are Traceable to Investor Funds, Elevate, and/or Funds That Were Commingled With Investor and/or Elevate Funds

1. The Justin King Schwab Account

The Receiver understands that the Justin King Schwab Account recently had a value of \$44,949.71. Between July 7, 2020 and December 31, 2020, the Justin King Schwab Account received at least \$1,024,807 directly from investors. (See *id.* at ¶ 6.) During this period, no distributions were made from the Justin King Schwab Account to investors, but distributions totaling \$682,000 were made to a Chase account in the name of Shannon L. King and Justin R. King ending in account no. 8635 (the "Kings' Chase Account"). (See *id.* at ¶ 7.) During this period, the Justin King Schwab Account received \$320,000 directly from an Elevate account at

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Charles Schwab ending in account no. 6211 (the "Elevate Schwab Account"), and transferred \$250,000 to the Elevate Schwab Account. Thus, the Justin King Schwab Account received a net transfer of \$70,000 from the Elevate Schwab Account. (See *id.* at ¶ 8.) Therefore, the assets on hand in the Justin King Schwab Account were commingled with substantial investor and Elevate funds. Because of the commingling of funds, it is not feasible to trace the current assets on hand to any particular source. (See *id.* at ¶ 9.)

2. The Shannon King Schwab Account

On April 5, 2021, defendant Justin King and relief defendant Shannon King filed a motion that requested, among other things, that the Court remove the asset freeze imposed on the Shannon King Schwab Account. (See Docket No. 56.) By order entered on April 27, 2021, the Court denied that request. (See Docket No. 62 at 3.)

The Receiver understands that the Shannon King Schwab Account recently had a value of \$39,378.61. On July 20, 2020, the Shannon King Schwab Account received a transfer of \$50,000 from the Kings' Chase Account. (See Exhibits "1" & "2.")¹ That \$50,000 transfer is traceable to funds that were commingled with investor funds. (See *id.* at ¶ 10.)

Immediately prior to the \$50,000 transfer from the Kings' Chase Account to the Shannon King Schwab Account, in the Kings' Chase Account, the Kings commingled the funds on hand with investor funds. On July 14, 2020, the Kings' Chase Account had an ending balance of \$3,149.27. Between July 15, 2020, and the July 20, 2020, \$50,000 transfer, the Kings' Chase Account received four separate deposits:

- (1) a July 15, 2020, \$50,000 deposit from an investor in Elevate Investments;

¹ All exhibit references are to the exhibits attached to the Brandlin Declaration.

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(2) a July 15, 2020, \$50,000 deposit drawn on a check from an account in the name of Doggy Connection, with a memo line that says "investment";

(3) a July 15, 2020, \$38,000 deposit from a Schwab account in the name of Justin King; and

(4) a July 16, 2020, \$93,202.47 deposit of the proceeds from a real property sale.

(See *id.* at ¶ 11; Exhibit "2.") Thus, as of July 20, 2020, the funds on hand in the Kings' Chase Account consisted of a commingling of the \$3,149.27 ending balance as of July 14, 2020, and the four aforementioned deposits, which include \$100,000 in investor deposits. Therefore, the July 20, 2020, \$50,000 transfer from the Kings' Chase Account to the Shannon King Schwab Account is directly traceable to commingled funds that included \$100,000 of investor funds. Because of the commingling, it is not feasible to trace the assets on hand to any particular source. (See Brandlin Decl. at ¶ 12.)

3. The Arizona Investment Kings Account

The Receiver understands that the Arizona Investment Kings Account is frozen with approximately \$221.57 on hand. Justin King and Shannon King opened the account as managers of Arizona Investment Kings LLC. (See Exhibit "3.") Between June 1, 2019 and December 31, 2020, the Arizona Investment Kings Account received at least \$16,770 directly from investors. During this period, no distributions were made from the Arizona Investment Kings Account to investors. (See Brandlin Decl. at ¶ 14.) Moreover, the last deposit into this account prior to it being frozen was a December 2, 2020, \$1,700 deposit from an investor that increased the account balance to \$1,721.57. There was one subsequent \$1,500 transfer

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1 out of the account that left a balance of \$221.57 on hand. (See Exhibit "4.")
 2 Thus, the funds on hand are traceable to investor funds.

3 **4. The Area Auto Glass Account**

4 The Receiver understands that the Area Auto Glass Account is frozen
 5 with approximately \$12,211.59 on hand. Justin King opened the account as
 6 a member of Area Auto Glass, LLC. (See Exhibit "5.") Elevate used the
 7 Area Auto Glass Account as its operating account, paying Elevate's office
 8 lease from the account. (See Brandlin Decl. at ¶ 17.) Between June 1,
 9 2019 and December 31, 2020, the Area Auto Glass Account received
 10 \$549,477 from Elevate's brokerage account at TD Ameritrade ending in
 11 account no. 1348 (the "Elevate TD Ameritrade Account") and only
 12 transferred \$3,000 to the Elevate TD Ameritrade Account. The Area Auto
 13 Glass Account did not receive any other transfers from an account in the
 14 name of Elevate. (See *id.* at ¶ 18.) Thus, the Area Auto Glass Account
 15 received net transfers of \$546,477 directly from Elevate. Moreover, the Area
 16 Auto Glass Account also received \$125,000 directly from investors. (See *id.*
 17 at ¶ 19.) Additionally, the Area Auto Glass Account received \$81,735 from
 18 the Arizona Investment Kings Account while transferring \$64,300 to the
 19 Arizona Investment Kings Account. (See *id.* at ¶ 20.) Because the funds in
 20 the Area Auto Glass Account were commingled with substantial funds from
 21 Elevate, investors, and the Arizona Investment Kings Account, it is not
 22 feasible to trace the current funds on hand to any particular source. (See *id.*
 23 at ¶ 21.)

24 25 **III. The Court Has Broad Power to Expand the Scope of the** 26 **Receivership Estate**

27 A district court has broad power to determine the scope of appropriate
 28 relief in an equity receivership. See, e.g., *SEC v. Hardy*, 803 F.2d 1034,

1 1037 (9th Cir. 1986); *SEC v. Elliot*, 953 F.2d 1560, 1566 (11th Cir. 1992);
 2 *SEC v. Forex Asset Mgmt.*, 242 F.3d 325, 331 (5th Cir. 2001); *SEC v. Basic*
 3 *Energy & Affiliated Resources*, 273 F.3d 657, 668 (6th Cir. 2001). "The
 4 power of a district court to impose a receivership or grant other forms of
 5 ancillary relief . . . derives from the inherent power of a court of equity to
 6 fashion effective relief." *SEC v. Wencke*, 622 F.2d 1363, 1369 (9th Cir.
 7 1980). As the Ninth Circuit has explained:

8 The district court has broad powers and wide
 9 discretion to determine the appropriate relief in an
 10 equity receivership. The basis for this broad
 11 deference to the district court's supervisory role in
 12 equity receiverships arises out of the fact that most
 13 receiverships involve multiple parties and complex
 14 transactions.

12 *SEC v. Capital Consultants, LLC*, 397 F.3d 733, 738 (9th Cir. 2005)
 13 (citations omitted). Here, a significant objective of this case (and the
 14 Receiver's charge) "is to ensure that all available assets are brought within
 15 the Receivership and [] properly distributed" See *SEC v. Elmas*
 16 *Trading Corp.*, 620 F. Supp. 231, 234 (D. Nev. 1985), *aff'd* 805 F.2d 1039
 17 (9th Cir. 1986).

18 One aspect of the district court's broad power and wide discretion is
 19 the ability to expand the Receivership Estate to include assets that are
 20 traceable to investor funds or the receivership entity. See, e.g., *SEC v.*
 21 *Creative Capital Consortium*, No. 08-81565-CV, 2013 WL 12167733, at *1
 22 (S.D. Fla. Jan. 23, 2013) (granting the receiver's motion for clarification that
 23 certain options accounts are part of the receivership estate because investor
 24 funds were traced to the options accounts); *SEC v. Kirkland*, No. 606-
 25 CV183-ORL-28KRS, 2006 WL 2639522, at *3 (M.D. Fla. Sept. 13, 2006) (on
 26 motion of receiver to expand receivership, finding that property was
 27 purchased with funds from receivership entities and therefore, included in
 28 the receivership estate); *SEC v. Nadel*, No. 8:09-CV-87-T-26TBM, 2013 WL

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2291871, at *2 (M.D. Fla. May 24, 2013) (granting the receiver's motion to expand the scope of the receivership to include oil and gas company where majority, but not all, of company's initial funding came from other receivership entities); *SEC v. Lauer*, No. 03-80612-Civ., 2009 WL 812719, at *4-5 (S.D. Fla. Mar. 26, 2009) (proceeds from sale of condominium that was maintained with tainted funds are also tainted by the fraud); *CFTC v. Hudgins*, 620 F. Supp. 2d 790, 795 (E.D. Tex. 2009) (directing sale of condominium because defrauder's innocent girlfriend paid the mortgage with Ponzi scheme funds); *In re Fin. Federated Title & Tr., Inc.* 347 F.3d 880, 892 (11th Cir. 2003) (establishing constructive trust on property purchased with over 90% funds from Ponzi scheme).

Moreover, in the receivership context and elsewhere, courts have held that, when tracing fraudulently tainted funds that become commingled with legitimately acquired funds, all commingled funds on hand may be treated as tainted by the fraud. *See, e.g., SEC v. Sunwest Mgmt.*, 09-6056-HO, 2009 WL 3245879 at *9 (D. Or. Oct. 2, 2009) (In receivership case, "Due to the fungibility of money, however, courts have held that any commingling is enough to warrant treating all the funds as tainted."); *SEC v. Bivona*, No. 16-CV-01386-EMC, 2017 WL 4022485, at *9 (N.D. Cal. Sept. 13, 2017) (Several courts, however, have found that, under equitable principles, *any* commingling is sufficient . . . This principle flows from the fact that money is fungible and, once moneys are combined, disaggregation is somewhat arbitrary and disentanglement challenging. Thus, even the 'presence of some tainted funds in [a] commingled account is sufficient to taint' legitimately-acquired funds . . .") quoting *U.S. v. Garcia*, 37 F.3d 1359, 1365-66 (9th Cir. 1994); *U.S. v. Moore*, 27 F.3d 969, 976-77 (4th Cir. 1994) ("Money is fungible, and when funds obtained from unlawful activity have been combined with funds from lawful activity into a single asset, the illicitly-

1 acquired funds and the legitimately-acquired funds (or the respective
 2 portions of the property purchased with each) cannot be distinguished from
 3 each other . . . that is, they cannot be traced to any particular source . . .");
 4 *SEC v. Better Life Club of Am., Inc.*, 995 F.Supp. 167, 181 (D.D.C. 1998)
 5 ("[W]hen legitimate assets are co-mingled with illegitimate ones such that
 6 the assets cannot be separated out, a constructive trust may extend over the
 7 entire asset pool.").

8
 9 **IV. THE COURT SHOULD DETERMINE THAT THE FUNDS AND**
 10 **ASSETS ON HAND IN THE ACCOUNTS ARE PROPERTY OF THE**
 11 **RECEIVERSHIP ESTATE**

12 **1. The Justin King Schwab Account**

13 The assets on hand in the Justin King Schwab Account should be
 14 brought into the Receivership Estate. It would be most inequitable for Justin
 15 King to retain the assets on hand to the detriment of investors. This account
 16 received at least \$1,024,807 directly from investors and never made
 17 distributions directly to investors (although it transferred \$682,000 directly to
 18 the Kings). (See Brandlin Decl. at ¶¶ 6-7); see *Creative Capital Consortium*,
 19 2013 WL 12167733, at *1 (granting the receiver's motion for clarification that
 20 certain options accounts are part of the receivership estate because investor
 21 funds were traced to options accounts). Moreover, this account received
 22 \$320,000 in transfers directly from Elevate and, after accounting for outgoing
 23 transfers to Elevate, received a net transfer of \$70,000 directly from Elevate.
 24 (See Brandlin Decl. at ¶ 8); see *Kirkland*, 2006 WL 2639522, at *3 (on
 25 motion of receiver to expand receivership, finding that property was
 26 purchased with funds from receivership entities and therefore, included in
 27 the receivership estate). Additionally, the current assets on hand cannot be
 28 traced to one particular source because the Kings commingled the assets on

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hand with investor and Elevate funds. (See Brandlin Decl. at ¶ 9); see *Sunwest Mgmt.*, 2009 WL 3245879 at *9 (In receivership case, "Due to the fungibility of money, however, courts have held that any commingling is enough to warrant treating all the funds as tainted.") Consistent with the Court's broad powers to determine appropriate relief and case law, the Receiver requests that the Court determine that the assets on hand are property of the Receivership Estate.

B. The Shannon King Schwab Account

The assets on hand in the Shannon King Schwab Account should be brought into the Receivership Estate. As detailed above, the assets on hand are directly traceable to funds that were commingled with \$100,000 of investor funds. (See Brandlin Decl. at ¶¶ 10-11); see *Sunwest Mgmt.*, 2009 WL 3245879 at *9 (In receivership case, "Due to the fungibility of money, however, courts have held that any commingling is enough to warrant treating all the funds as tainted.") Because of the commingling of funds in the Kings' Chase Account, it is not feasible to further trace the \$50,000 transfer received by the Shannon King Schwab Account to any particular source. (See Brandlin Decl. at ¶ 12; see *also* Exhibits "1" & "2.") Consistent with the Court's broad powers to determine appropriate relief and case law, the Receiver requests that the Court determine that the assets on hand are property of the Receivership Estate.

C. The Arizona Investment Kings Account

The funds on hand in the Arizona Investment Kings Account should be brought into the Receivership Estate. This account received at least \$16,770 directly from investors and never made any distributions directly to investors. (See Brandlin Decl. at ¶ 14); see *Creative Capital Consortium*, 2013 WL 12167733, at *1 (granting the receiver's motion for clarification that certain options accounts are part of the receivership estate because investor

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funds were traced to options accounts). Arizona Investment Kings should not receive the benefit of investor funds to the detriment of investors. Moreover, the last deposit into this account prior to it being frozen was a \$1,700 investor deposit and the current funds on hand are directly traceable to that deposit. (See Brandlin Decl. at ¶ 15; Exhibit "4.") Consistent with the Court's broad powers to determine appropriate relief and case law, the Receiver requests that the Court determine that the funds on hand are property of the Receivership Estate.

D. The Area Auto Glass Account

The funds on hand in the Area Auto Glass Account should be brought into the Receivership Estate. The account received net transfers of \$546,477 from the Elevate TD Ameritrade Account, an Elevate brokerage account, while only transferring \$3,000 back to Elevate. (See Brandlin Decl. at ¶ 18.) This account also received \$125,000 from investors. (See *id.* at ¶ 19.) Area Auto Glass LLC should not receive the benefit of Elevate and investor funds to the detriment of investors. Moreover, the funds in this account were commingled with substantial funds from Elevate, investors, and Arizona Investment Kings, rendering it infeasible to trace the current funds on hand to any particular source. See *Sunwest Mgmt.*, 2009 WL 3245879 at *9 (In receivership case, "Due to the fungibility of money, however, courts have held that any commingling is enough to warrant treating all the funds as tainted.") Therefore, consistent with the Court's broad powers to determine appropriate relief and case law, the Receiver requests that the Court determine that the funds on hand are property of the Receivership Estate.

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V. CHARLES SCHWAB & CO. AND JPMORGAN CHASE SHOULD BE ORDERED TO LIQUIDATE AND REMIT THE FUNDS AND ASSETS ON HAND UPON THE RECEIVER'S REQUEST

If the Court determines that the Accounts are property of the Receivership Estate, the Receiver requests that any order granting the Motion require Charles Schwab & Co. and JPMorgan Chase to liquidate the Accounts and remit the funds on hand to the Receiver upon his request so that he can take possession and control of the funds for the investors' benefit.

VI. CONCLUSION

Based on the foregoing, the Receiver respectfully requests that this Court enter an order:

1. Granting the Motion;
2. Determining that the Accounts are property of the Receivership Estate;
3. Requiring Charles Schwab & Co. and JPMorgan Chase to liquidate the Accounts and remit the funds on hand to the Receiver upon his request; and

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1 4. Granting such other and further relief as the Court deems just
2 and appropriate.

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5 Respectfully submitted,

6 DATED: July 1, 2022

7 SMILEY WANG-EKVALL, LLP

8
9 By: /s/ Michael L. Simon

10 Michael L. Simon
11 Counsel for Jeffrey E. Brandlin,
12 Permanent Receiver
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DECLARATION OF JEFFREY E. BRANDLIN

I, Jeffrey E. Brandlin, declare as follows:

1. I am the permanent federal equity receiver (the "Receiver") appointed by the U.S. District Court, Central District of California, over Elevate Investments, LLC, and its subsidiaries and affiliates ("Elevate"). I know the facts contained in this declaration to be true of my own personal knowledge, except as otherwise stated and, if called as a witness, I could and would competently testify with respect thereto. I make this declaration in support of the *Motion of Receiver, Jeffrey E. Brandlin, for Order In Aid of Implementation of the Order Appointing the Permanent Receiver* (the "Motion"). Unless otherwise defined in this declaration, all terms defined in the Motion are incorporated herein by this reference.

2. On January 19, 2021, I was appointed as the temporary receiver. That afternoon, I went to Elevate's office in San Clemente and took possession of the computers and books and records.

3. On February 16, 2021, the Court approved my retention of Brandlin & Associates as the Receiver's forensic accountants. Under my supervision, Brandlin & Associates has been reviewing Elevate's books and records, and the bank and investment account records for Elevate, Justin and Shannon King, and Elevate's affiliates, including Area Auto Glass LLC and Arizona Investment Kings. Brandlin & Associates prepared a forensic accounting to determine the flow of money into and between these bank and investment accounts, including the sources of funds in the various accounts, and the transfers and withdrawals from each account.

4. To perform this analysis, Brandlin & Associates received and reviewed the document production of several banks and brokerage firms such as JP Morgan Chase, Wells Fargo, Charles Schwab & Co., TD

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1 Ameritrade, and Fidelity. This review included reviewing the accounts
 2 referenced in the Motion. The productions from the various banks and
 3 brokerage firms included bank statements, canceled checks, and documents
 4 detailing wire transfers.

5 5. Based on the review of the bank and brokerage production, and
 6 Elevate's books and records, as further detailed below, the funds and assets
 7 in the Accounts (as defined in the Motion) are traceable to investor funds,
 8 Elevate, and/or funds that were commingled with investor and/or Elevate
 9 funds.

10 **Justin King Schwab Account**

11 6. Between July 7, 2020 and December 31, 2020, an account in the
 12 name of Justin Robert King at Charles Schwab & Co. ending in account no.
 13 5708 (the "Justin King Schwab Account") received at least \$1,024,807
 14 directly from investors without making any distributions to Elevate investors.

15 7. Between July 7, 2020 and December 31, 2020, \$682,000 was
 16 transferred from the Justin King Schwab Account to an account at JPMorgan
 17 Chase Bank in the name of Shannon L. King and Justin R. King ending in
 18 account no. 8635 (the "Kings' Chase Account").

19 8. Between July 7, 2020 and December 31, 2020, the Justin King
 20 Schwab Account received \$320,000 directly from an account in the name of
 21 Elevate at Charles Schwab & Co. ending in account no. 6211 (the "Elevate
 22 Schwab Account") and transferred \$250,000 to the Elevate Schwab
 23 Account. Thus, the Justin King Schwab Account received net transfers of
 24 \$70,000 from the Elevate Schwab Account.

25 9. Due to the commingling of investor and Elevate funds with the
 26 assets on hand in the Justin King Schwab Account, it is not feasible to trace
 27 the current assets on hand in the Justin King Schwab Account to any
 28 particular source.

The Shannon King Schwab Account

10. On July 20, 2020, an account in the name of Shannon King at Charles Schwab & Co. ending in account no. 4019 (the "Shannon King Schwab Account") received a transfer of \$50,000 from the Kings' Chase Account. Attached hereto as Exhibit "1" is a true and correct copy of a relevant excerpt of the July 2020 Shannon King Schwab Account statement.

11. Immediately prior to the \$50,000 transfer detailed in the preceding paragraph, the funds on hand in the Kings' Chase Account were commingled as follows:

- a. On July 14, 2020, the Kings' Chase Account had an ending balance of \$3,149.27.
- b. On July 15, 2020, the Kings' Chase Account received a \$50,000 deposit from an investor in Elevate.
- c. On July 15, 2020, the Kings' Chase Account received a \$50,000 deposit drawn on a check from an account in the name of Doggy Connection, with a memo line that states "Investment."
- d. On July 15, 2020, the Kings' Chase Account received a \$38,000 deposit from a Schwab account in the name of Justin King; and
- e. On July 16, 2020, the Kings' Chase Account received a \$93,202.47 deposit. I understand that Shannon King asserts that this deposit was a deposit of the proceeds from a real property sale.

Attached hereto as Exhibit "2" is a true and correct copy of the July 2020 account statement for the Kings' Chase Account.

12. Due to the commingling of funds from investors, Justin King, and the asserted sale proceeds, it is not feasible to trace the \$50,000 transfer from the Kings' Chase Account to the Shannon King Schwab Account to any particular source.

The Arizona Investment Kings Account

13. Attached hereto as Exhibit "3" is a true and correct copy of the "Business Signature Card" account application for Arizona Investment Kings LLC for an account ending in account no. 3592 at JP Morgan Chase Bank (the "Arizona Investment Kings Account").

14. Between June 1, 2019 and December 31, 2020, the Arizona Investment Kings Account received at least \$16,770 directly from investors. During this period, the Arizona Investment Kings Account did not make any distributions to investors.

15. Attached hereto as Exhibit "4" is a true and correct copy of the Arizona Investment Kings Account statement for December 2020. The December 2, 2020 \$1,700 deposit identified in Exhibit "4" was made by an individual who was an Elevate investor.

The Area Auto Glass Account

16. Attached hereto as Exhibit "5" is a true and correct copy of the "Business Signature Card" account application for Area Auto Glass LLC for an account ending in account no. 8687 at JP Morgan Chase Bank (the "Area Auto Glass Account").

17. I believe that Elevate used the Area Auto Glass Account as its operating account. Elevate's office lease was paid from this account.

18. Between June 1, 2019 and December 31, 2020, the Area Auto Glass Account received \$549,477 from a brokerage account in the name of Elevate at TD Ameritrade ending in account no. 1348 (the "Elevate TD Ameritrade Account") and only transferred \$3,000 to the Elevate TD Ameritrade Account. The Area Auto Glass Account did not receive any other transfers from an account in the name of Elevate.

19. The Area Auto Glass Account received \$125,000 directly from investors.

21. Because the funds in the Area Auto Glass Account were commingled with substantial funds from Elevate, investors, and Arizona Investment Kings, it is not feasible to trace the current funds on hand to any particular source.

Executed on this 29th day of June, 2022, at Los Angeles, California.

Jeffrey Brandlin
JEFFREY BRANDLIN

EXHIBIT "1"

Schwab One® Account of
SHANNON KINGAccount Number
9991-4019Statement Period
July 14-31, 2020**Transaction Detail - Purchases & Sales** (continued)**Options Activity** (continued)

Settle Date	Trade Date	Transaction	Description	Quantity	Unit Price	Total Amount
07/31/20	07/30/20	Bought	CALL S & P 500 INDEX \$3425 EXP 08/19/20: SPXW 08/19/2020 3425.00 C	5.0000	4.0000	(2,003.32)
07/31/20	07/30/20	Bought	CALL S & P 500 INDEX \$3425 EXP 08/19/20: SPXW 08/19/2020 3425.00 C	3.0000	4.1700	(1,252.99)
07/31/20	07/30/20	Bought	CALL S & P 500 INDEX \$3425 EXP 08/19/20: SPXW 08/19/2020 3425.00 C	2.0000	4.1700	(835.34)

Total Options Activity**1,496.68****Total Purchases & Sales****1,496.68****Transaction Detail - Deposits & Withdrawals**

Transaction Date	Process Date	Activity	Description	Location	Credit/(Debit)
07/20/20	07/20/20	Funds Received	WIRED FUNDS RECEIVED		50,000.00

Total Deposits & Withdrawals**50,000.00**

The total deposits activity for the statement period was \$50,000.00. The total withdrawals activity for the statement period was \$0.00.

Total Transaction Detail**51,496.68**

Schwab has provided accurate gain and loss information wherever possible for most investments. Cost basis data may be incomplete or unavailable for some of your holdings. Please see "Endnotes for Your Account" section for an explanation of the endnote codes and symbols on this statement.

EXHIBIT "2"

DECLARATION

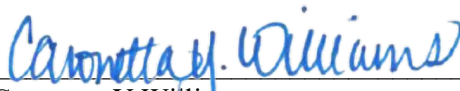
Case No. : SACV20-02398-JVS (DFMX)

Caronetta Y Williams, certifies and declares as follows:

1. I am over the age of 18 years and not a party to this action.
2. My business address is 14800 Frye Road, Fort Worth, Texas 76155.
3. I am a Transactions Specialist III and Custodian of Records for JPMorgan Chase Bank, N.A. (hereinafter referred to as the "Bank") in the National Subpoena Processing Department located in Fort Worth, Texas.
4. Based on my knowledge of the Bank's business records practices and procedures, the enclosed records are a true and correct copy of the original documents kept by the Bank in the ordinary course of business.
5. Based on my knowledge of the Bank's business records practices and procedures, the records were made at or near the time of the occurrence of the matters set forth in the records by, or from, information transmitted by a person with knowledge of those matters.
6. It is the regular practice of the Bank to make such a record of transactions in the ordinary course of business.

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

Dated: 10/11/2021

By: 
Caronetta Y Williams
Transactions Specialist III
JPMORGAN CHASE BANK, N.A.

SB1263720-F1

SUBP91a



JPMorgan Chase Bank, N.A.
P O Box 182051
Columbus, OH 43218 - 2051

July 07, 2020 through August 06, 2020

Primary Account: **000000813088635**

CUSTOMER SERVICE INFORMATION

Web site: **Chase.com**
Service Center: **1-800-935-9935**
Deaf and Hard of Hearing: **1-800-242-7383**
Para Espanol: **1-877-312-4273**
International Calls: **1-713-262-1679**

00094282 DRE 601 211 22020 NNNNNNNNNNN 1 000000000 04 0000

SHANNON L KING
OR JUSTIN R KING
3219 E CAMELBACK RD STE 478
PHOENIX AZ 85018-2307



CONSOLIDATED BALANCE SUMMARY

ASSETS

Checking & Savings	ACCOUNT	BEGINNING BALANCE THIS PERIOD	ENDING BALANCE THIS PERIOD
Chase Premier Plus Checking	000000813088635	\$2,315.93	\$15,088.03
Chase Plus Savings	000003393270680	500.29	500.30
Total		\$2,816.22	\$15,588.33
TOTAL ASSETS		\$2,816.22	\$15,588.33

CHASE PREMIER PLUS CHECKING

SHANNON L KING

Account Number: 000000813088635

OR JUSTIN R KING

CHECKING SUMMARY

	AMOUNT
Beginning Balance	\$2,315.93
Deposits and Additions	261,648.72
Electronic Withdrawals	-248,711.62
Fees	-165.00
Ending Balance	\$15,088.03
Annual Percentage Yield Earned This Period	0.01%
Interest Paid This Period	\$0.12
Interest Paid Year-to-Date	\$0.33

Your account ending in 0680 is linked to this account for overdraft protection.

Thank you for your military service and commitment to our country. Your monthly service fee was waived as a benefit of Chase Military Banking.



July 07, 2020 through August 06, 2020

Primary Account: 000000813088635

TRANSACTION DETAIL

DATE	DESCRIPTION	AMOUNT	BALANCE
	Beginning Balance		\$2,315.93
07/07	Am Nat Ins CO Anico Pymt PPD ID: 6740484030	-96.77	2,219.16
07/08	07/08 Online Transfer To Chk ...5780 Transaction#: 9912900688	-62.00	2,157.16
07/09	Nordstrom Trans PPD ID: 9044013364	-73.27	2,083.89
07/09	Best Buy Auto Pymt 720138136220114 Web ID: Citiautldr	-50.00	2,033.89
07/13	The Resolution G Payroll PPD ID: 9008675853	115.38	2,149.27
07/14	Schwab Brokerage Moneylink PPD ID: 9005586224	1,000.00	3,149.27
07/15	Fedwire Credit Via: Bank of America, N.A./026009593 B/O: Wayne M Dunn Blythe, CA, 92225, US Ref: Chase Nyc/Ctr/Bnf=Shannon L King OR Justin R King Phoenix AZ 85018-230 7 US/Ac-000000008130 Rfb=304673318 Obi=Wayne And Janie Dunn Subscripti On Bbi=/Acc/DDA/813088635 Justin Ki Ng 3219 E. Camelback Road, Ste. 1mad: 0715B6B7Hu3R013230 Trn: 6336909197Ff	50,000.00	53,149.27
07/15	Deposit 1113524077	50,000.00	103,149.27
07/15	Schwab Brokerage Moneylink PPD ID: 9005586224	38,000.00	141,149.27
07/15	07/15 Online Transfer To Chk ...8687 Transaction#: 9946223547	-2,000.00	139,149.27
07/15	07/15 Online Domestic Wire Transfer Via: Union LA Aka Uboc/122000496 A/C: Jane Shorma Burbank CA 91505 US Ref: 1 OR 2/Bnf/Jane Shorma/Time/14:42 Imad: 0715B1Qgc08C010951 Trn: 3076420197Es	-35,000.00	104,149.27
07/15	07/15 Domestic Wire Transfer Via: Union LA Aka Uboc/122000496 A/C: Jane Shorma Burbank CA 91505 US Ref:/Time/15:31 Imad: 0715B1Qgc02C013289 Trn: 6852620197Es	-45,000.00	59,149.27
07/15	07/15 Online Transfer To Chk ...8687 Transaction#: 9950789419	-7,000.00	52,149.27
07/15	Capital One Crcardpmt 019630180259107 Web ID: 9541719018	-380.00	51,769.27
07/15	Domestic Wire Fee	-35.00	51,734.27
07/15	Online Domestic Wire Fee	-25.00	51,709.27
07/15	Domestic Incoming Wire Fee	-15.00	51,694.27
07/16	Fedwire Credit Via: First American Trust, Fsb/122241255 B/O: First American Title Insurance Compsscottsdale AZ 85258 Ref: Chase Nyc/Ctr/Bnf=Shannon L King OR Justin R King Phoenix AZ 85018-230 7 US/Ac-000000008130 Rfb=O/B Fst Am Tr CO Obi=Seller Proceeds Shannon L. King/Justin R. King (480)777-005 1 First Imad: 0716L1B78J1C004328 Trn: 6569309198Ff	93,202.47	144,896.74
07/16	07/16 Online Domestic Wire Transfer Via: Wells Fargo NA/121000248 A/C: TD Ameritrade Clearing Inc San Francisco CA 94104 US Ref: Fbo: Acct 865-719547 Justin King 3345 E Pinchot Ave Unit 7, Phx, AZ 85 018/Bnf/Fbo: Acct 865-719547 Justin King 3345 E Pinchot Ave Unit 7 Phx AZ 85018/Time/09:52 Imad: 0716B1Qgc02C004213 Trn: 4376520198Es	-10,000.00	134,896.74
07/16	07/16 Online Domestic Wire Transfer Via: Citibank Nyc/021000089 A/C: Charles Schwab New York NY 10022 US Ref: Further Credit To Justin King 59875708/Bnf/Further Credit To Justin Ki Ng 59875708/Time/10:04 Imad: 0716B1Qgc07C005928 Trn: 4379320198Es	-39,950.00	94,946.74
07/16	07/16 Online Transfer To Chk ...8687 Transaction#: 9957907366	-10,000.00	84,946.74
07/16	07/16 Online Transfer To Chk ...8687 Transaction#: 9957918004	-4,000.00	80,946.74
07/16	07/16 Payment To Chase Card Ending IN 5926	-3,717.03	77,229.71
07/16	Online Domestic Wire Fee	-25.00	77,204.71
07/16	Online Domestic Wire Fee	-25.00	77,179.71
07/16	Domestic Incoming Wire Fee	-15.00	77,164.71
07/17	Sjc Checking Sjc Water PPD ID: 1956006666	-146.70	77,018.01
07/20	07/18 Online Transfer To Chk ...8687 Transaction#: 9968787145	-17,000.00	60,018.01

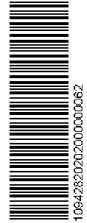
Page 2 of 4



July 07, 2020 through August 06, 2020
Primary Account: 000000813088635

TRANSACTION DETAIL *(continued)*

DATE	DESCRIPTION	AMOUNT	BALANCE
07/20	07/20 Online Domestic Wire Transfer Via: Citibank Nyc/021000089 A/C: Charles Schwab New York NY 10022 US Ref: Further Credit To Shannon King 9991-4019/Bnf/Further Credit To Shannon King9991-4019/Time/15:57 Imad: 0720B1Qgc08C009749 Tm: 7021920202Es	-50,000.00	10,018.01
07/20	Online Domestic Wire Fee	-25.00	9,993.01
07/21	Online Transfer From Chk ...8687 Transaction#: 9980786890	3,100.00	13,093.01
07/21	Online Transfer From Chk ...8687 Transaction#: 9980791955	500.00	13,593.01
07/21	Capital One Mobile Pmt 020239800616323 Web ID: 9279744980	-9,000.00	4,593.01
07/21	Capital One Mobile Pmt 020239800616322 Web ID: 9279744980	-4,253.75	339.26
07/21	Hsbc Bank USA NA Hsbc Bank 043000099248762 Web ID: 9044021964	-251.06	88.20
07/21	Best Buy Payment 120173617706744 Web ID: Citictp	-73.97	14.23
07/23	Online Transfer From Chk ...8687 Transaction#: 9991545329	500.00	514.23
07/23	Capital One Crcardpmt 020430180249135 Web ID: 9541719018	-21.00	493.23
07/24	The Resolution G Payroll PPD ID: 9008675853	230.75	723.98
08/03	Toyota Financial Lease Pay 03667226070220 Web ID: 2953775816	-636.07	87.91
08/04	Schwab Brokerage Moneylink PPD ID: 9005586224	25,000.00	25,087.91
08/04	08/04 Online Transfer To Chk ...8687 Transaction#: 10060796447	-10,000.00	15,087.91
08/06	Interest Payment	0.12	15,088.03
Ending Balance			\$15,088.03



OVERDRAFT AND RETURNED ITEM FEE SUMMARY

	Total for This Period	Total Year-to-date
Total Overdraft Fees *	\$.00	\$.00
Total Returned Item Fees	\$.00	\$34.00

* Total Overdraft Fees includes Insufficient Funds Fees, and Extended Overdraft Fees

CHASE PLUS SAVINGS

SHANNON L KING

Account Number: 000003393270680

OR JUSTIN R KING

SAVINGS SUMMARY

	AMOUNT
Beginning Balance	\$500.29
Deposits and Additions	0.01
Ending Balance	\$500.30
Annual Percentage Yield Earned This Period	0.02%
Interest Paid This Period	\$0.01
Interest Paid Year-to-Date	\$0.08

Page 3 of 4



July 07, 2020 through August 06, 2020
Primary Account: 000000813088635

The monthly service fee for this account was waived as an added feature of Chase Premier Plus Checking account.

TRANSACTION DETAIL

DATE	DESCRIPTION	AMOUNT	BALANCE
	Beginning Balance		\$500.29
08/06	Interest Payment	0.01	500.30
	Ending Balance		\$500.30

You earned a higher interest rate on your Chase Plus Savings account during this statement period because you had a qualifying Chase Premier Plus Checking account.

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC FUNDS TRANSFERS: Call us at 1-866-564-2262 or write us at the address on the front of this statement (non-personal accounts contact Customer Service) immediately if you think your statement or receipt is incorrect or if you need more information about a transfer listed on the statement or receipt.

For personal accounts only: We must hear from you no later than 60 days after we sent you the FIRST statement on which the problem or error appeared. Be prepared to give us the following information:

- Your name and account number
- The dollar amount of the suspected error
- A description of the error or transfer you are unsure of, why you believe it is an error, or why you need more information.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days (or 20 business days for new accounts) to do this, we will credit your account for the amount you think is in error so that you will have use of the money during the time it takes us to complete our investigation.

IN CASE OF ERRORS OR QUESTIONS ABOUT NON-ELECTRONIC TRANSACTIONS: Contact the bank immediately if your statement is incorrect or if you need more information about any non-electronic transactions (checks or deposits) on this statement. If any such error appears, you must notify the bank in writing no later than 30 days after the statement was made available to you. For more complete details, see the Account Rules and Regulations or other applicable account agreement that governs your account. Deposit products and services are offered by JPMorgan Chase Bank, N.A. Member FDIC



JPMorgan Chase Bank, N.A. Member FDIC

EXHIBIT "3"



Business Signature Card

ACCOUNT TITLE ("DEPOSITOR")
AZ INVESTMENT KINGS LLC

BUSINESS ADDRESS
3345 E PINCHOT AVE UNIT 7

PHOENIX, AZ 85018-6891

ACCOUNT NUMBER 811283592
ACCOUNT TYPE Chase Total Business Checking
TAXPAYER ID NUMBER 81-1659093
DATE OPENED 03/08/2016
FORM OF BUSINESS Limited Liability Company - Manager Managed (LLC)
ISSUED BY JPMorgan Chase Bank, N.A. (601)
Billmore - 108
MATTHEW D OCONNOR
(602) 261-1890
03/08/2016

PRIMARY ID TYPE Website Documentation	PRIMARY ID NUMBER L20717450	ISSUER AZ	ISSUANCE DATE 03/01/2016	EXPIRATION DATE
SECONDARY ID TYPE None	SECONDARY ID NUMBER	ISSUER	ISSUANCE DATE	EXPIRATION DATE

ACKNOWLEDGEMENT - By signing this Signature Card, the Depositor applies to open a deposit account at JPMorgan Chase Bank, N.A. (the "Bank"). The Depositor represents and warrants that (i) the signatures appearing below are genuine or facsimile signatures of the person(s) authorized to transact business and (ii) all necessary actions or formalities, where necessary, have been taken to authorize the named person(s) to so act. The Bank is entitled to rely on the authority of the named person(s) until written revocation of such authority is received by the Bank. The Depositor certifies that the information provided to the Bank is true to the best of its knowledge and authorizes the Bank, at its discretion, to obtain credit reports on the Depositor. The Depositor acknowledges receipt of the Bank's Deposit Account Agreement or other applicable account agreement, which include all provisions that apply to this deposit account, and other agreements and service terms for account analysis and other treasury management services if applicable, and agree to be bound by the terms and conditions contained therein as amended from time to time.

** When you give us your mobile phone number, we have your permission to contact you at that number about all your Chase or J.P. Morgan accounts. Your consent allows us to use text messaging, artificial or prerecorded voice messages and automatic dialing technology for informational and account service calls, but not for telemarketing or sales calls. It may include contact from companies working on our behalf to service your accounts. Message and data rates may apply. You may contact us anytime to change these preferences.

PRINTED NAME	**TELEPHONE NUMBER	TAXPAYER ID #	TITLE	DATE	SIGNATURE
1) JUSTIN R KING	**(602) 488-2200	532-90-6210	Manager	3-8-16	
2) SHANNON L KING	**(480) 721-5395	524-53-2232	Manager	3/8/16	
3)					
4)					



EXHIBIT "4"



JPMorgan Chase Bank, N.A.
P O Box 182051
Columbus, OH 43218 - 2051

December 01, 2020 through December 31, 2020

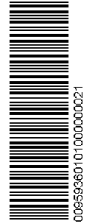
Account Number: **000000811283592**

CUSTOMER SERVICE INFORMATION

Web site: **Chase.com**
Service Center: **1-800-242-7338**
Deaf and Hard of Hearing: **1-800-242-7383**
Para Espanol: **1-888-622-4273**
International Calls: **1-713-262-1679**

00095936 DRE 601 211 00121 NNNNNNNNNN 1 000000000 65 0000

AZ INVESTMENT KINGS LLC
3219 E CAMELBACK RD STE 478
PHOENIX AZ 85018-2307



CHECKING SUMMARY

Chase Total Business Checking

	INSTANCES	AMOUNT
Beginning Balance		\$391.57
Deposits and Additions	2	2,030.00
Electronic Withdrawals	2	-2,200.00
Ending Balance	4	\$221.57

Thank you for your military service and commitment to our country. Your monthly service fee was waived as a benefit of Chase Military Banking.

DEPOSITS AND ADDITIONS

DATE	DESCRIPTION	AMOUNT
12/01	Quickpay With Zelle Payment From David B Larson 10563226000	\$330.00
12/02	Quickpay With Zelle Payment From Kent A Daniel Usb56J71Xr3P	1,700.00
Total Deposits and Additions		\$2,030.00

ELECTRONIC WITHDRAWALS

DATE	DESCRIPTION	AMOUNT
12/01	12/01 Online Transfer To Chk ...8687 Transaction#: 10734172935	\$700.00
12/08	12/08 Online Transfer To Chk ...8687 Transaction#: 10779372780	1,500.00
Total Electronic Withdrawals		\$2,200.00

DAILY ENDING BALANCE

DATE	AMOUNT
12/01	\$21.57
12/02	1,721.57
12/08	221.57



December 01, 2020 through December 31, 2020

Account Number: 000000811283592

SERVICE CHARGE SUMMARY

TRANSACTIONS FOR SERVICE FEE CALCULATION	NUMBER OF TRANSACTIONS
Checks Paid / Debits	0
Deposits / Credits	0
Deposited Items	0
Transaction Total	0

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$0.00
Service Fee Credit	\$0.00
Net Service Fee	\$0.00
Excessive Transaction Fees (Above 100)	\$0.00
Total Service Fees	\$0.00

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC FUNDS TRANSFERS: Call us at 1-866-564-2262 or write us at the address on the front of this statement (non-personal accounts contact Customer Service) immediately if you think your statement or receipt is incorrect or if you need more information about a transfer listed on the statement or receipt.

For personal accounts only: We must hear from you no later than 60 days after we sent you the FIRST statement on which the problem or error appeared. Be prepared to give us the following information:

- Your name and account number
- The dollar amount of the suspected error
- A description of the error or transfer you are unsure of, why you believe it is an error, or why you need more information.

We will investigate your complaint and will correct any error promptly. If we take more than 10 business days (or 20 business days for new accounts) to do this, we will credit your account for the amount you think is in error so that you will have use of the money during the time it takes us to complete our investigation.

IN CASE OF ERRORS OR QUESTIONS ABOUT NON-ELECTRONIC TRANSACTIONS: Contact the bank immediately if your statement is incorrect or if you need more information about any non-electronic transactions (checks or deposits) on this statement. If any such error appears, you must notify the bank in writing no later than 30 days after the statement was made available to you. For more complete details, see the Account Rules and Regulations or other applicable account agreement that governs your account. Deposit products and services are offered by JPMorgan Chase Bank, N.A. Member FDIC



JPMorgan Chase Bank, N.A. Member FDIC

EXHIBIT "5"

Information Redacted is Confidential



Business Signature Card

ACCOUNT TITLE ("DEPOSITOR")
AREA AUTO GLASS LLC

BUSINESS ADDRESS
3219 E CAMELBACK RD STE 478
PHOENIX, AZ 85018-2307

ACCOUNT NUMBER 203708687
ACCOUNT TYPE Chase Total Business Checking
TAXPAYER ID NUMBER [REDACTED]
DATE OPENED 08/24/2017
FORM OF BUSINESS Limited Liability Company - Member Managed (LLC)
ISSUED BY JPMorgan Chase Bank, N.A. (601)
Billmore - 108
MATTHEW D OCONNOR
(602) 261-5002
08/24/2017

PRIMARY ID TYPE	PRIMARY ID NUMBER	ISSUER	ISSUANCE DATE	EXPIRATION DATE
Website Documentation	L19786010	AZ	01/28/2015	
SECONDARY ID TYPE	SECONDARY ID NUMBER	ISSUER	ISSUANCE DATE	EXPIRATION DATE
None				

ACKNOWLEDGEMENT - By signing this Signature Card, the Depositor applies to open a deposit account at JPMorgan Chase Bank, N.A. (the "Bank"). The Depositor represents and warrants that (i) the signatures appearing below are genuine or facsimile signatures of the person(s) authorized to transact business and (ii) all necessary actions or formalities, where necessary, have been taken to authorize the named person(s) to so act. The Bank is entitled to rely on the authority of the named person(s) until written revocation of such authority is received by the Bank. The Depositor certifies that the information provided to the Bank is true to the best of its knowledge and authorizes the Bank, at its discretion, to obtain credit reports on the Depositor. The Depositor acknowledges receipt of the Bank's Deposit Account Agreement or other applicable account agreement, which include all provisions that apply to this deposit account, and other agreements and service terms for account analysis and other treasury management services if applicable, and agree to be bound by the terms and conditions contained therein as amended from time to time.

** When you give us your mobile phone number, we have your permission to contact you at that number about all your Chase or J.P. Morgan accounts. Your consent allows us to use text messaging, artificial or prerecorded voice messages and automatic dialing technology for informational and account service calls, but not for telemarketing or sales calls. It may include contact from companies working on our behalf to service your accounts. Message and data rates may apply. You may contact us anytime to change these preferences.

PRINTED NAME	TELEPHONE NUMBER	TAXPAYER ID #	TITLE	DATE	SIGNATURE
1) JUSTIN R KING	**(602) 488-2200	532-90-6210	Member	8-24-17	
2)					
3)					
4)					



PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 3200 Park Center Drive, Suite 250, Costa Mesa, CA 92626.

On 7/1/2022, I served true copies of the following document(s) described as

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION OF RECEIVER, JEFFREY E. BRANDLIN, FOR ORDER IN AID OF IMPLEMENTATION OF THE ORDER APPOINTING THE PERMANENT RECEIVER; DECLARATION OF JEFFREY E. BRANDLIN IN SUPPORT
on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

(X) (BY COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")). Pursuant to United States District Court, Central District of California, Local Civil Rule 5-3, the foregoing document will be served by the court via NEF and hyperlinked to the document. On 7/1/2022, I checked the CM/ECF docket for this case and determined that the aforementioned person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated.

(X) (BY MAIL). I enclosed the document(s) in a sealed envelope or package and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with the practice of Smiley Wang-Ekvall, LLP for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope was placed in the mail at Costa Mesa, California.

() (BY E-MAIL). By scanning the document(s) and then e-mailing the resultant pdf to the e-mail address indicated above per agreement. Attached to this declaration is a copy of the e-mail transmission.

() (BY FACSIMILE). I caused the above-referenced documents to be transmitted to the noted addressee(s) at the fax number as stated. Attached to this declaration is a "TX Confirmation Report" confirming the status of transmission. Executed on _____, at Costa Mesa, California.

() STATE I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

(X) FEDERAL 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.

Executed on July 1, 2022, at Costa Mesa,
California.

/s/ Lynnette Garrett

Lynnette Garrett

SERVICE LIST

BY COURT VIA NOTICE OF ELECTRONIC FILING ("NEF"):

☐ **Kyra E Andrassy**
kandrassy@swelawfirm.com,jchung@swelawfirm.com,lgarrett@swelawfirm.com,gacruz@swelawfirm.com

☐ **Jeffrey E Brandlin**
kandrassy@swelawfirm.com

☐ **Lynn M. Dean**
deanl@sec.gov,LAROFiling@sec.gov,delgadilloj@sec.gov,simundacc@sec.gov,irwinma@sec.gov

☐ **Justin Robert King**
jrking80@gmail.com

☐ **Shannon King**
slking311@gmail.com

☐ **Michael J. Quinn**
mquinn@vedderprice.com,jgimble@vedderprice.com,michael-quinn-2870@ecf.pacerpro.com,ecfladocket@vedderprice.com

☐ **Kathryn C Wanner**
wannerk@sec.gov,BarryJ@SEC.GOV,simundacc@sec.gov,irwinma@sec.gov,gilliamk@sec.gov

BY MAIL:

Justin and Shannon King 26500 Paseo Infinita San Juan Capistrano, CA 92675	Justin and Shannon King 10639 West Chestnut Street Marana, AZ 85653
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