

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-CIV-21964-CMA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TCA FUND MANAGEMENT GROUP CORP.,
et al.,

Defendants.

NOTICE OF COMPLIANCE

Pursuant to the Court's Order [ECF No. 189] granting the Receiver's Motion to Compel Turnover from the Guardian Life Insurance Company of America [ECF No. 188], the Receiver, Jonathan E. Perlman, through undersigned counsel, gives notice and files an affidavit of the reasonable fees and costs incurred attached hereto as **Exhibit A**, and submits a proposed order awarding same attached hereto as **Exhibit B**.

Dated: November 24, 2021.

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By: /s/ Eric D. Jacobs

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CERTIFICATE OF SERVICE

I certify that on November 24, 2021, a true and correct copy of the foregoing was served via CM/ECF Notification, E-Mail and/or U.S. Mail to all parties listed on the attached service list.

By: /s/ Eric D. Jacobs
Eric D. Jacobs, Esq.

SERVICE LIST

Securities and Exchange Commission v. TCA Fund Management Group Corp., et al.
Case No. 20-Civ-21964-CMA

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EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 20-cv-21964-CMA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

**TCA FUND MANAGEMENT GROUP, CORP.,
a Florida company, et al.,**

Defendants.

**DECLARATION OF ATTORNEY ERIC D. JACOBS IN SUPPORT
OF RECEIVER'S AWARD OF FEES PURSUANT TO COURT ORDER**

ERIC D. JACOBS submits this declaration pursuant to the Court's Order [DE 189] granting the *Receiver's Motion to Compel Turnover From The Guardian Life Insurance Company of America* [DE 188] (the "Motion"), and says:

1. I am a partner at the law firm of Genovese Joblove & Battista, P.A. ("GJB") and, in that capacity, I oversaw and supervised the preparation and filing of the Motion, which sought to compel turnover of the cash surrender value of that certain life insurance policy owned by Yuejian Wang and held with The Guardian Life Insurance Company of America for which the Receiver, by virtue of assignment to TCA Global Credit Master Fund, LP, is assignee of the policy.

2. I am a member in good standing of the Florida Bar, a member of the Federal Bar for the United States District Court for the Southern District of Florida, and I am otherwise qualified to practice before this Court.

3. The Court's Order determined that the Receiver is entitled to an award of

reasonable fees and costs incurred brining the Motion.

4. Attached as “Exhibit 1” to this Declaration is an excerpt from GJB’s time records for this matter. Exhibit 1 shows time entries totaling 12.60 hours and \$3,468.00 in fees and \$11.65 in costs for services provided in preparing, filing, serving, and otherwise prosecuting the Motion, including the preparation, submission and service of the Order.

5. The hourly rates charged for this matter are consistent with the hourly rates GJB bills to its clients in other similar matters. This Court has approved and awarded fees under these rates in this and other matters, as have other courts within and outside of this district in comparable matters involving GJB and other counsel of like reputation and experience.

Declaration Pursuant to 28 U.S.C. § 1746

Pursuant to Section 1746, Title 28, of the United States Code, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of November 2021 in the State of Florida.

By: /s/ Eric D. Jacobs
ERIC D. JACOBS

GENOVESE JOBLOVE & BATTISTA, P.A.

JONATHAN PERLMAN, RECEIVER - TCA FUND - TCA GLOBAL RECEIVERSHIP
Client: 12445

SUMMARY OF FEES & COSTS RELATED TO MOTION TO COMPEL TURNOVER FROM GUARDIAN LIFE INSURANCE COMPANY OF AMERICA

| Date | Lawyer | Work Description | Time | Rate | Value |
|----------------------|--------|---|--------------|------|--------------------|
| 9/15/2021 | BTC | Begin drafting motion to compel Guardian Life Insurance to turnover cash surrender value under policy of Y. Wang. | 1.20 | \$ | 100.00 \$ 120.00 |
| 9/17/2021 | EDJ | Draft motion to compel turnover of Guardian Life Policy (2.3). E-mails with Greg Garno and Jonathan Perlman regarding same (.3). | 2.60 | \$ | 340.00 \$ 884.00 |
| 9/17/2021 | JEP | Edit Motion to Compel against Guardian Life. | 0.70 | \$ | 340.00 \$ 238.00 |
| 11/15/2021 | EDJ | Continued drafting of motion for turnover of Guardian Insurance policy. | 2.20 | \$ | 340.00 \$ 748.00 |
| 11/15/2021 | BTC | Revise motion to compel turnover of Guardian policy relative to Wang. | 0.20 | \$ | 100.00 \$ 20.00 |
| 11/16/2021 | EDJ | Further revise motion to compel turnover of Guardian Insurance proceeds and review of loan documents to determine provisions properly securing same. | 1.70 | \$ | 340.00 \$ 578.00 |
| 11/16/2021 | EDJ | E-mails with Michael Miller and client regarding offer to settle Guardian turnover issues. | 0.20 | \$ | 340.00 \$ 68.00 |
| 11/17/2021 | EDJ | Telephone call with Receiver regarding revisions to Guardian turnover motion (0.4); further revise motion per Receiver's request (0.8); E-mails with Receiver regarding same (0.2); final review and revisions to motion before filing (0.2). | 1.60 | \$ | 340.00 \$ 544.00 |
| 11/17/2021 | BTC | Compile and label exhibits in support of motion to compel turnover from Guardian Life Insurance Policy. | 0.80 | \$ | 100.00 \$ 80.00 |
| 11/17/2021 | EDJ | Revise order granting motion for turnover of Guardian Life Insurance proceeds. | 0.20 | \$ | 340.00 \$ 68.00 |
| 11/17/2021 | BTC | Revise and finalize motion to compel turnover from Guardian Life Insurance Policy (0.5); confer with E. Jacobs regarding current amount of policy (0.1). | 0.60 | \$ | 100.00 \$ 60.00 |
| 11/18/2021 | BTC | Review order granting motion to compel turnover from Guardian Life Insurance policy, calendar relevant deadlines, and confer with E. Jacobs regarding next steps for turnover. | 0.40 | \$ | 100.00 \$ 40.00 |
| 11/19/2021 | BTC | Review email from counsel for Guardian Life and provide wiring instructions. | 0.20 | \$ | 100.00 \$ 20.00 |
| | | Total Fees | 12.60 | | \$ 3,468.00 |
| Disbursement Summary | | | | | |
| 11/17/2021 | | Postage | | | \$ 8.75 |
| 11/18/2021 | | Postage | | | \$2.90 |
| | | Total Costs | | | \$ 11.65 |
| | | TOTAL FEES & COSTS | | | \$ 3,479.65 |

Exhibit 1

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 20-cv-21964-CMA

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TCA FUND MANAGEMENT GROUP, CORP.,
a Florida company, et al.,

Defendants.

ORDER AWARDING FEES

THIS CAUSE came before the Court upon Receiver Jonathan E. Perlman, Esq.'s Notice of Compliance [ECF 193] with the Court's Order [ECF No. 189] directing the Receiver to file an affidavit of reasonable fees and costs incurred in bringing the Motion to Compel Turnover From The Guardian Life Insurance Company of America [ECF 188] (the "Motion"). The Court having considered the Notice and the attachments, and being otherwise fully advised, it is:

ORDERED AND ADJUDGED as follows:

1. For services rendered in connection with the Motion by Receiver's counsel, Genovese Joblove & Battista, P.A., the Court awards the Receiver \$3,460.00 in fees and \$11.65 in costs for a total award of **\$3,479.65** against Yuejian Wang ("Mr. Wang"). Mr. Wang shall pay the fee award within ten (10) days of this Order.

DONE AND ORDERED in Miami, Florida this _____ day of _____ 2021.

CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record