

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

No. 16-cv-6848 (BMC)

-v-

PLATINUM MANAGEMENT (NY) LLC; :

PLATINUM CREDIT MANAGEMENT, L.P.; :

MARK NORDLICHT; :

DAVID LEVY; :

DANIEL SMALL; :

URI LANDESMAN; :

JOSEPH MANN; :

JOSEPH SANFILIPPO; and :

JEFFREY SHULSE, :

Defendants. :

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**FIFTEENTH INTERIM APPLICATION OF GOLDIN ASSOCIATES, LLC FOR
ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF
EXPENSES INCURRED DURING THE PERIOD JANUARY 1, 2021
THROUGH MARCH 31, 2021**

Goldin Associates, LLC (“Goldin”), as financial advisor to Melanie L. Cyganowski, the Court-appointed receiver (the “Receiver”) for Platinum Credit Management, L.P., Platinum Partners Credit Opportunities Master Fund LP (“PPCO”), Platinum Partners Credit Opportunities Fund (TE) LLC, Platinum Partners Credit Opportunities Fund LLC, Platinum Partners Credit Opportunity Fund (BL) LLC, Platinum Liquid Opportunity Management (NY) LLC, Platinum Partners Liquid Opportunity Fund (USA) L.P., Platinum Partners Liquid Opportunity Master Fund L.P, Platinum Partners Credit Opportunities Fund International Ltd, and Platinum Partners Credit Opportunities Fund International (A) Ltd. (collectively, the “Receivership Entities” or

“Platinum”),¹ hereby submits its Fifteenth Interim Application for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period January 1, 2021 through March 31, 2021 (“Fifteenth Interim Application”). Goldin respectfully requests interim approval for payment of \$52,069.50 in professional fees and reimbursement of \$1.92 in expenses incurred for the period January 1, 2021 through March 31, 2021 (the “Fifteenth Application Period”).

Goldin’s Fifteenth Interim Application contains the following sections:

(a) **Section I** contains a preliminary statement on Goldin’s activities in this case during the Fifteenth Application Period.

(b) **Section II** contains information about Goldin and the case’s status, as required by Section C of the Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission (the “SEC Receivership Billing Instructions”). Section II also includes a description of each exhibit to this Fifteenth Interim Application, as well as the reduction in fees agreed to by Goldin in connection with its appointment as financial advisor to the Receiver.

(c) **Section III** contains a narrative of the work that Goldin professionals performed under each activity category, as required by Section D of the SEC Receivership Billing Instructions.

(d) **Section IV** summarizes the expenses for which Goldin seeks reimbursement, as required by Section E of the SEC Receivership Billing Instructions.

(e) **Section V** describes the standards to be applied by the Court in determining fee awards in SEC equity receiverships.

¹ On December 29, 2017, the Court entered an order approving the expansion of the Receivership Estate to include the following entities: (i) Platinum Partners Liquid Opportunity Master Fund L.P.; (ii) Platinum Partners Credit Opportunities Fund International Ltd; and (iii) Platinum Partners Credit Opportunities Fund International (A) Ltd [Docket No. 298].

(f) **Section VI** describes the holdback arrangement to which Goldin has agreed.

I. PRELIMINARY STATEMENT

1. During the Fifteenth Application Period, Goldin continued to assist the Receiver to devise disposition strategies for the remaining assets.

2. In addition, during the Fifteenth Application Period, Goldin assisted the Receiver and her legal counsel in analyzing potential investor and creditor claims, as well as in developing a proposed plan of distribution.

3. Finally, during the Fifteenth Application Period, Goldin continued to manage a variety of cash disbursement and budgeting protocols on behalf of the Receivership Estate. For instance, Goldin (i) prepared 13-Week cash receipts and disbursements forecasts; (ii) performed weekly actual vs. forecasted variance analyses regarding Platinum's cash position; (iii) oversaw the procedures governing the review and approval of disbursements (including payroll); and (iv) conducted daily and weekly reconciliations of Platinum's cash and brokerage accounts.

II. APPLICATION REQUIREMENTS

A. Information about the Applicant and the Application

4. **Application Period.** This application covers the period of January 1, 2021 through March 31, 2021.

5. **Appointment of the Receiver.** On December 19, 2016, the U.S. Attorney for the Eastern District of New York unsealed an eight-count indictment (the "Indictment") against seven individuals who were formerly affiliated with Platinum, a purported \$1.7 billion hedge-fund family based in New York. The Indictment alleged that the defendants defrauded Platinum investors through, among other things, the overvaluation of assets, the concealment of severe cash flow

problems and the preferential payment of redemptions. The Indictment also charged four of the defendants with defrauding the independent bondholders of Black Elk Energy Offshore Operations, LLC, a portfolio company owned by Platinum, through a fraudulent offering document and diverting more than \$95 million in proceeds to Platinum by falsely representing in the offering document that Platinum controlled approximately \$18 million of the bonds when, in fact, Platinum controlled more than \$98 million of the bonds.

On December 19, 2016, the SEC filed this action, asserting violations of the anti-fraud provisions of federal securities laws and seeking, among other relief, temporary and permanent injunctive relief, disgorgement of ill-gotten gains, imposition of civil penalties, and appointment of a receiver [Docket No. 1].

On December 19, 2016, the Court entered an Order to Show Cause and Temporary Restraining Order against the defendants, granting certain specified relief to the SEC, including the appointment of a receiver, and granting the receiver control over the assets of the Receivership Entities [Docket No. 5].

Also on December 19, 2016, the Court entered the Order Appointing Receiver, as amended on January 30, 2017 [Docket Nos. 6 and 59], naming Bart Schwartz as the initial receiver.

On January 31, 2017, the initial receiver sought to retain Cooley LLP as his counsel and Guidepost Solutions LLC to advise, assist and support him with his duties as receiver. [Docket Nos. 63 and 65]. Such retention applications were approved by the Court on February 17, 2017.

On June 23, 2017, Mr. Schwartz requested that the Court approve his resignation as receiver, effective upon the Court's appointment of a successor receiver [Docket No. 170]. On

July 6, 2017, the Court accepted the resignation of Mr. Schwartz and appointed Melanie L. Cyganowski as his successor [Docket No. 216].

6. **Appointment of the Applicant.** The Amended Receiver Order authorized the Receiver to engage professionals to assist in fulfilling her duties. On July 21, 2017, the Court approved Goldin's retention as the Receiver's financial advisor *nunc pro tunc* to July 6, 2017 [Docket No. 232].

7. **Fee Schedule.** The names and hourly rates of the Goldin professionals who billed time during the Fifteenth Application Period is attached as **Exhibit B** (the "Fee Schedule"). The fees requested in this Fifteenth Interim Application were determined on the basis of the hours worked by Goldin professionals and Goldin's usual and customary hourly rates in effect at the time of its retention in this matter, as modified by a 10% public service discount.

8. **Prior Applications.** This application is interim and is Goldin's fifteenth fee and expense application in this case. The fees and expenses requested by Goldin in its previous fee and expense applications were allowed and paid as follows:

Period	Order Date Docket No.	Amount Requested		Amount Allowed		Amount Paid to Date	
		Fees	Expenses	Fees	Expenses	Fees	Expenses
7/6/17-9/30/17	12/5/17 Docket No. 290	\$985,666.50	\$1,350.24	\$985,666.50	\$1,360.24	\$788,533.20	\$1,350.24
10/1/17-12/31/17	3/05/18 Docket No. 310	\$629,210.25	\$1,825.42	\$629,210.25	\$1,825.42	\$471,907.69	\$1,825.42
1/1/18-3/31/18	6/17/18 Docket No. 341	\$744,147.00	\$1,689.42	\$744,147.00	\$1,689.42	\$595,317.60	\$1,689.42

4/1/18-6/30/18	12/17/18 Docket No. 428	\$970,161.75	\$1,937.01	\$970,161.75	\$1,937.01	\$776,129.40	\$1,937.01
7/1/18-9/30/18	12/17/18 Docket No. 427	\$805,900.50	\$1,124.35	\$805,900.50	\$1,124.35	\$644,720.40	\$1,124.35
10/1/18-12/31/18	7/16/19 Docket No. 477	\$834,330.38	\$1,956.81	\$834,330.38	\$1,956.81	\$667,464.30	\$1,956.81
1/1/19-3/31/19	7/16/19 Docket No. 479	\$504,528.79	\$1,112.83	\$504,528.79	\$1,112.83	\$444,807.08	\$1,112.83
4/1/19-6/30/19	12/26/19 Docket No. 508	\$259,250.84	\$597.41	\$259,250.84	\$597.41	\$220,358.85	\$597.41
7/1/19-9/30/19	12/30/19 Docket No. 510	\$101,240.21	\$26.56	\$101,240.21	\$26.56	\$89,147.40	\$26.56
10/1/19-12/31/19	3/9/20 Docket No. 528	\$128,003.86	\$84.48	\$128,003.86	\$84.48	\$110,565.83	\$84.48
1/1/20-3/31/20	6/4/20 Docket No. 534	\$137,160.56	\$41.29	\$137,160.56	\$41.29	\$110,167.40	\$41.29
4/1/20-6/30/20	11/12/20 Docket No. 545	\$141,727.50	\$19.51	\$141,727.50	\$19.51	\$113,401.51	\$19.51
7/1/20-9/30/20	12/21/20 Docket No. 558	\$80,642.25	\$51.55	\$80,642.25	\$51.55	\$64,565.35	\$51.55
10/1/20-12/31/20	6/11/21 Docket No. 568	\$89,599.50	\$11.88	\$89,599.50	\$11.88	\$71,679.60	\$11.88

B. Case Status

9. **Cash on Hand and Unencumbered Funds.** As of March 31, 2021, the Receivership Entities had approximately \$22.8 million in unencumbered funds.

(a) **Accrued Administrative Expenses.** As of March 31, 2021, it is estimated that accrued, unpaid administrative expenses amount to approximately \$5.6

million. These administrative expenses primarily consist of accrued and unpaid professional fees. In addition to these unpaid administrative expenses, the Receivership Estate paid remaining in-house Platinum staff and other operating expenses during the Fifteenth Application Period.

10. **Summary of Receipts and Disbursements.** Cash disbursements during the Fifteenth Application Period totaled approximately \$476,000. This amount consisted primarily of (i) \$275,000 in professional expenses and (ii) \$199,000 in business asset expenses (payroll and related expenses paid to Platinum employees, as well as office rent).

Cash receipts during the Fifteenth Application Period totaled \$68,000, consisting of proceeds from the sales of remnant assets.

11. **Closing of Case.** Goldin cannot at this time state when the Receiver will deem it appropriate to seek the conclusion of this case.

12. **Summary of Creditor Claims Proceedings.** Pursuant to the previously-approved bar date procedures motion [Docket No. 453], the bar date to file a proof of claim asserting a claim arising before the Receivership was March 29, 2019 and the bar date for governmental units to file a proof of claim was April 12, 2019. In total, 327 claims were filed prior to the applicable bar date. Some of these claims may be duplicate claims and some may be asserted against non-Receivership Entities. Parties holding investor claims, claims for unpaid redemptions and administrative claims were not required to file proofs of claim.

The Receiver will likely be objecting to certain of the filed and/or deemed filed claims in whole or in part. To facilitate the objection process, the Receiver filed a motion seeking to implement procedures for the reconciliation of claims and the verification of the investment and

withdrawal amounts with respect to the interests held by investors (the “Claims Procedures Motion”). The Court entered an Order approving the Claims Procedures Motion on December 1, 2020 [Docket No. 554]. Subject to her soon-to-be completed review of filed claims, the Receiver will be filing a notice of her determinations with respect to each of the claims and claimants will have an opportunity to respond, if necessary in accordance with the procedures provided for by the Claims Procedures Order.

The Claims Procedures Motion only sought the Court’s approval of the Receiver’s proposed procedures for finalizing the reconciliation and verification of claims and interests; it did not seek approval of the validity, amount, classification, or distribution methodology on account of any claims against, or interests in, any of the Receivership Entities. The Receiver will be filing a separate motion with the Court to approve a plan for making distributions to claimants and investors. The formulation of the plan is ongoing.

13. **Summary of Assets.** The primary assets of the Receivership Estate consist of the following:

- (a) Cash and cash equivalents of approximately \$22.8 million.
- (b) Remaining stock and royalty interests, litigation financing and other miscellaneous investments; and
- (c) Potential litigation claims.

14. **Liquidated and Unliquidated Claims.** The Receiver currently holds no liquidated litigation recoveries.

C. SEC Review

15. Goldin submitted this Fifteenth Interim Application to the SEC and allowed for a thirty-day review period, as required by the SEC Receivership Billing Instructions.

D. Exhibits

16. The Fifteenth Interim Application contains the following exhibits:

(a) **Exhibit A:** The Standardized Fund Accounting Report (“SFAR”) for the period January 1, 2021 through March 31, 2021.

(b) **Exhibit B:** A Fee Schedule showing the total fees billed, hours worked and hourly rates of each Goldin professional involved.

(c) **Exhibit C:** A summary of the total fees billed and hours worked by activity category.

(d) **Exhibit D:** Time records of Goldin professionals listed chronologically by activity category, as required by Section D.5 of the SEC Receivership Billing Instructions.

(e) **Exhibit E:** A summary of all expenses incurred by Goldin, organized by expense category, as required by Section E.1a of the SEC Receivership Billing Instructions.

(f) **Exhibit F:** The certification contemplated by Section A.1 of the SEC Receivership Billing Instructions.

III. SERVICES RENDERED BY GOLDIN DURING THE FIFTEENTH APPLICATION PERIOD

17. Goldin professionals recorded services performed in time increments of one tenth (0.1) of an hour. Goldin made use of a lean team; the senior professionals involved each brought distinct, but essential, expertise to the engagement and were the primary responsible party on different tasks.

18. Per Section D.3 of the SEC Receivership Billing Instructions, Goldin accounted for its time charges during the Fifteenth Application Period by activity categories. Narrative summaries of these activity categories follow.

19. **Accounting (01)**. \$6,682.50 requested. During the Fifteenth Application Period, Goldin continued to manage a variety of cash disbursement and budgeting protocols. For example, on a weekly basis, Goldin prepared 13-week cash flow forecasts and variance analyses, which enhanced the Receivership Estate's ability to monitor and manage its cash position. Goldin also conducted periodic reconciliations of Platinum's cash and brokerage accounts as a control. Additionally, Goldin provided day-to-day oversight of Platinum's accounting function, which included monitoring work performed by Platinum's Chief Financial Officer. Karthik Bhavaraju is the only Goldin professionals who billed time in this activity category during the Fifteenth Application Period. Mr. Bhavaraju has principal responsibility for overseeing Platinum's cash disbursement and budgeting protocols.

20. **Asset Disposition (03)**. \$18,382.50 requested. During the Fifteenth Application Period, Goldin assisted the Receiver with respect to the monetization of Platinum's portfolio positions. Curtis Solsvig and Marc Kirschner are the only Goldin professionals who billed time in this activity category during the Fifteenth Application Period. Mr. Solsvig has principal responsibility for executing disposition strategies on behalf of the Receivership Team.

21. **Case Administration (06)**. \$27,004.50 requested. The Receivership Team endeavored throughout the Fifteenth Application Period to administer the Receivership Estate efficiently. Accordingly, Goldin conferred frequently with the Receiver and her legal counsel to ensure that efforts were coordinated to maximize efficiency. In addition, Goldin's internal team members met to plan their approach to necessary tasks.

The effective administration of the Receivership Estate also entails communicating with third parties about the status of the Receivership, and addressing questions related thereto. In addition, Goldin assisted the Receiver and her legal counsel in drafting the status report filed with the Court on January 20, 2021. Goldin professionals who billed time in this activity category during the Fifteenth Application Period included Marc Kirschner, William Edwards and Curtis Solsvig. Mr. Kirschner and Mr. Edwards have principal responsibility for organizing Goldin personnel to ensure that their assigned tasks are executed effectively and efficiently. The time billed by Mr. Solsvig in this category relate in significant measure to his participation in coordination meetings with members of the Receivership Team.

IV. EXPLANATION OF EXPENSES AND RELATED POLICIES

22. Goldin seeks reimbursement of its out-of-pocket costs in the amount of \$1.92. Exhibit E sets forth various categories of expenses for which Goldin seeks reimbursement. Goldin will retain the documentation supporting these expenses for a period of seven years in accordance with the SEC Receivership Billing Instructions and will provide the SEC with copies of such materials upon request. Goldin's request for expense reimbursement complies with the SEC Receivership Billing Instructions.

V. FACTORS TO BE CONSIDERED BY THE COURT IN AWARDING FEES

23. The case law on equity receiverships sets forth the standards for approving receiver compensation and the fees and expenses for the receiver's retained professionals. The District Court has discretion to determine compensation to be awarded to a court-appointed equity receiver and her retained professionals and "may consider all of the factors involved in a particular receivership in determining the appropriate fee." *Gaskill v. Gordon*, 27 F.3d 248, 253 (7th Cir. 1994). Many authorities (some quite dated) provide "convenient guidelines," but in the final analysis, "the unique fact situation renders direct reliance on precedent impossible."

Securities & Exchange Comm'n v. W.L. Moody & Co., 374 F. Supp. 465, 480 (S.D. Tex. 1974), *aff'd*, 519 F. 2d 1087 (5th Cir. 1975).

24. In allowing professional fees in receiverships, “[t]he court will consider . . . the complexity of problems faced, the benefit to the receivership estate, the quality of work performed, and the time records presented.” *Securities & Exchange Comm'n v. Fifth Ave. Coach Lines, Inc.*, 364 F. Supp. 1220, 1222 (S.D.N.Y. 1973); *see also United States v. Code Prods.*, 362 F.2d 669, 673 (3rd Cir. 1966) (court should consider the time, labor and skill required (but not necessarily expended), the fair value of such time, labor and skill, the degree of activity, the dispatch with which the work is conducted and the result obtained). “[R]esults are always relevant.” *Securities & Exchange Comm'n v. Elliott*, 953 F.2d 1560, 1577 (11th Cir. 1992), *quoting Moody*, 374 F. Supp. at 480, as are the extent to which “a receiver reasonably and diligently discharges his duties.” *Id.*

25. Under these standards Goldin has demonstrated that the amount of fees requested is appropriate. Goldin, in concert with the rest of the Receivership Team, has acted with appropriate dispatch to develop and execute monetization strategies for the Platinum assets. In addition, Goldin, again acting in concert with the rest of the Receivership Team, has expended meaningful effort to analyze potential claims in connection with the preparation of a plan of distribution.

VI. HOLDBACK

26. Goldin has agreed to hold back twenty percent (20%) of its allowed fees for all activity categories, save for the “Litigation Consulting” category. With regard to allowed fees associated with the “Litigation Consulting” category, Goldin has agreed to hold back five percent

(5%) of these fees. The holdbacks described in this section, collectively, constitute the Holdback Amount. All payments will be made from the Receivership assets.

WHEREFORE, Goldin respectfully requests that the Court:

- (a) grant interim approval of Goldin's request for compensation in the amount of \$52,069.50;
- (b) grant interim approval of Goldin's request for reimbursement of its out-of-pocket expenses in the amount of \$1.92;
- (c) authorize the Receiver to immediately pay from the Receivership assets (i) the allowed fees of Goldin, less the Holdback Amount, plus (ii) 100% of the allowed out-of-pocket expenses of Goldin; and
- (d) grant such other relief as the Court deems appropriate.

Dated: July 13, 2021
New York, NY

Respectfully submitted,

/s/ Marc S. Kirschner

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EXHIBIT A

PLATINUM PARTNERS CREDIT OPPORTUNITIES MASTER FUND LP AND AFFILIATED ENTITIES				
STANDARDIZED FUND ACCOUNTING REPORT				
Reporting Period from 1/1/2021 to 3/31/2021				
FUND ACCOUNTING (See Instructions)				
		Period from 1/1/2021 to 3/31/2021		
		PPCO	PPLO	Total
Line 1	Beginning Balance (As of 7/1/2020)	\$ 19,737,965	\$ 3,469,908	\$ 23,207,872
<i>Increases in Fund Balance:</i>				
Line 2	Business Income	-	-	-
Line 3	Cash and Securities	-	-	-
Line 4	Interest/Dividend Income	11,376	39,005	50,381
Lines 5, 6, 7	Asset Liquidations and Third-Party Litigations Income	17,500	-	17,500
Line 8	Miscellaneous - Other	-	-	-
	Total Funds Available (Lines 1-8)	\$ 19,766,840	\$ 3,508,913	\$ 23,275,753
<i>Decreases in Fund Balance:</i>				
Line 9	Disbursements to Investors/Claimants	-	-	-
Line 10	Disbursements for Receivership Operations	-	-	-
Line 10a	Disbursements to Receiver or Other Professionals	(275,387)	-	(275,387)
Line 10b	Business Asset Expenses	(198,631)	(399)	(199,030)
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	(1,500)	-	(1,500)
	Total Disbursements for Receivership Operations	\$ (475,518)	\$ (399)	\$ (475,917)
Line 11	Disbursements for Distribution Expenses Paid by the Fund	-	-	-
Line 12	Disbursements to Court/Other	-	-	-
	Total Funds Disbursed	\$ (475,518)	\$ (399)	\$ (475,917)
Line 13	Ending Balance (As of 3/31/2021)	\$ 19,291,322	\$ 3,508,514	\$ 22,799,836

EXHIBIT B



Goldin

A Teneo Company

350 Fifth Avenue
The Empire State Building
New York, New York 10118

Tel.: 212 593 2255
Fax: 212 888 2841
www.goldinassociates.com

April 26, 2021

Federal ID# 13-3549635

INVOICE

MATTER : PP Receiver

For Services 1/1/2021 Through 3/31/2021

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Marc Kirschner, Sr. Managing Director	9.00	855.00	\$7,695.00
William Edwards, Sr. Managing Director	18.80	765.00	\$14,382.00
Curtis G. Solsvig III, Sr. Managing Director	29.60	787.50	\$23,310.00
Karthik Bhavaraju, Managing Director	11.00	607.50	\$6,682.50
		<u>Hours</u>	<u>Amount</u>
Total Fees		68.40	\$52,069.50
Expenses:			
Telephone, Postage			\$1.92
Total Expenses			\$1.92
Total Fees & Expenses			<u>\$52,071.42</u>

Please remit by wire transfer to:
Account Name: Goldin Associates, LLC
Bank Name: Citi Private Bank
Bank Address: 153 East 53rd Street, 23rd Floor, New York, NY 10022
Account #: 998 322 3918
Routing #: 021 000 089
Swift Code: CITIUS33 (for international wires)

EXHIBIT C



Work Code Summary: PP Receiver

For Services 1/1/2021 Through 3/31/2021

Totals for	Hours	Amount
01 Accounting	11.00	\$6,682.50
03 Asset Disposition	23.30	\$18,382.50
06 Case Administration	34.10	\$27,004.50
Grand Total	68.40	\$52,069.50

EXHIBIT D



Work Code Narrative: PP Receiver

For Services 1/1/2021 Through 3/31/2021

Timekeeper	Date	Hours	Rate	Amount	Description
01 Accounting					
Bhavaraju, Karthik	1/4/2021	1.50	607.50	\$911.25	Review and prepare summary of expenses for payment prepared by T. Rogers
Bhavaraju, Karthik	1/11/2021	1.50	607.50	\$911.25	Review and prepare summary of expenses for payment prepared by T. Rogers
Bhavaraju, Karthik	1/28/2021	1.40	607.50	\$850.50	Review and prepare expense detail for month-end January 2021
Bhavaraju, Karthik	2/12/2021	1.20	607.50	\$729.00	Review and prepare summary of expenses for payment prepared by T. Rogers
Bhavaraju, Karthik	2/12/2021	0.50	607.50	\$303.75	Conference call with T. Rogers to discuss backup for certain expenses including support for payroll detail
Bhavaraju, Karthik	2/25/2021	1.00	607.50	\$607.50	Review and prepare summary of expenses for payment prepared by T. Rogers
Bhavaraju, Karthik	3/12/2021	2.00	607.50	\$1,215.00	Review invoices, discuss issues with T. Rogers and prepare summary of expenses for 2 week period for receivership
Bhavaraju, Karthik	3/30/2021	1.00	607.50	\$607.50	Review certain materials in support of payment summary for month end March 2021
Bhavaraju, Karthik	3/30/2021	0.50	607.50	\$303.75	Prepare month end payment summary for March 2021
Bhavaraju, Karthik	3/30/2021	0.40	607.50	\$243.00	Review email chain re: Cokal sale to assess remaining payments to PPVA and related payment summary

Total: 01 Accounting

11.00 \$6,682.50

Work Code Narrative: PP Receiver

Timekeeper	Date	Hours	Rate	Amount	Description
03 Asset Disposition					
Solsvig III, Curtis G.	1/3/2021	0.60	787.50	\$472.50	Correspond with P. Berg and potential purchaser (SS) re Remnant Sale
Solsvig III, Curtis G.	1/3/2021	0.20	787.50	\$157.50	Correspond with Receiver team re conclusion of Cokal transaction
Solsvig III, Curtis G.	1/4/2021	0.60	787.50	\$472.50	Correspond with P. Berg and potential purchaser (SS) re Remnant Sale
Solsvig III, Curtis G.	1/5/2021	0.40	787.50	\$315.00	Correspond with A. Clingman re China Horizon
Solsvig III, Curtis G.	1/5/2021	0.40	787.50	\$315.00	Correspond with Receiver team re closing on sale of Pro Player Loan
Solsvig III, Curtis G.	1/6/2021	0.70	787.50	\$551.25	Update call with A. Clingman re China Horizon
Solsvig III, Curtis G.	1/7/2021	0.40	787.50	\$315.00	Correspond with potential purchaser (SM) and Receiver team re closing details on Pro Player loan
Solsvig III, Curtis G.	1/7/2021	0.20	787.50	\$157.50	Correspond with Receiver team re Grey K transaction details
Solsvig III, Curtis G.	1/8/2021	0.20	787.50	\$157.50	Correspond with Receiver team re Grey K transaction details
Solsvig III, Curtis G.	1/12/2021	0.30	787.50	\$236.25	Correspond with potential purchaser (SS) re Grey K sale details
Solsvig III, Curtis G.	1/15/2021	0.30	787.50	\$236.25	Correspond with PPVA re China Horizon
Solsvig III, Curtis G.	1/21/2021	0.20	787.50	\$157.50	Correspond with potential purchaser (CE) re Remnant Sale
Solsvig III, Curtis G.	1/22/2021	0.40	787.50	\$315.00	Correspond with potential purchaser (SS) re final documentation on Grey K sale
Solsvig III, Curtis G.	2/1/2021	0.60	787.50	\$472.50	Correspond with Clingman (Yellow River), Koltun (Grey K) re asset sales
Solsvig III, Curtis G.	2/2/2021	2.10	787.50	\$1,653.75	Meet with Clingman (Exec Chrm) to update on Yellow River, review update materials, correspond on same
Solsvig III, Curtis G.	2/2/2021	1.50	787.50	\$1,181.25	Correspond with Koltun (Gen. Partner), Platinum team, and potential purchaser (SS) re Grey K sale, review related documents
Solsvig III, Curtis G.	2/3/2021	0.80	787.50	\$630.00	Review Yellow River documents, correspond with A. Clingman (Exec Chrm) and PPVA
Solsvig III, Curtis G.	2/4/2021	1.60	787.50	\$1,260.00	Discuss Yellow River stock ownership issues with E. Weineck (Otterbourg), correspond with PPVA and PPCO team on same
Kirschner, Marc	2/8/2021	0.50	855.00	\$427.50	Conference call with C. Solsvig re Platinum re sales proceeds
Solsvig III, Curtis G.	2/9/2021	0.50	787.50	\$393.75	Update with PPVA re Yellow River
Solsvig III, Curtis G.	2/10/2021	0.60	787.50	\$472.50	Meet with PPVA re Yellow River
Solsvig III, Curtis G.	2/15/2021	0.40	787.50	\$315.00	Correspond with Receivership team re residual interest in Cleveland Mining
Solsvig III, Curtis G.	2/18/2021	0.20	787.50	\$157.50	Correspond with Receivership team re Yellow River update
Solsvig III, Curtis G.	2/23/2021	0.40	787.50	\$315.00	Discuss remaining Grey K issues with potential purchaser (SS)
Solsvig III, Curtis G.	3/2/2021	0.40	787.50	\$315.00	Correspond with Koltun (Gen. Partner), Platinum team, S. Seigel (Spider Lane) re Grey K sale, review related documents
Solsvig III, Curtis G.	3/3/2021	0.20	787.50	\$157.50	Correspond with A. Klingman re status of Yellow River SPAC
Solsvig III, Curtis G.	3/3/2021	0.30	787.50	\$236.25	Correspond with R. Koltun (Gen. Partner) re sale of Grey K
Solsvig III, Curtis G.	3/5/2021	0.30	787.50	\$236.25	Correspond with R. Koltun (Gen. Partner) re sale of Grey K
Solsvig III, Curtis G.	3/17/2021	0.60	787.50	\$472.50	Discuss Remnant Sale issues with T. Rogers (CFO)
Solsvig III, Curtis G.	3/19/2021	0.60	787.50	\$472.50	Correspond with R. Koltun (General Partner) and R Rogers (CFO) re Grey K sale
Solsvig III, Curtis G.	3/23/2021	0.40	787.50	\$315.00	Address remaining Grey K issues with P. Berg (Otterbourg) and R. Koltun (Grey K Gen. Partner)



Work Code Narrative: PP Receiver

Timekeeper	Date	Hours	Rate	Amount	Description
Solsvig III, Curtis G.	3/24/2021	2.20	787.50	\$1,732.50	Address TARS issues in correspondence and discussions with E Weineck and P Berg (Otterbourg), T Rogers (PPCO CFO), review of record
Solsvig III, Curtis G.	3/25/2021	0.60	787.50	\$472.50	Address TARS issues in correspondence and discussions with E Weineck and P Berg (Otterbourg), T Rogers (PPCO CFO), review of record
Solsvig III, Curtis G.	3/25/2021	0.30	787.50	\$236.25	Address remaining Grey K issues with P. Berg (Otterbourg) and R. Koltun (Grey K Gen. Partner)
Solsvig III, Curtis G.	3/26/2021	1.70	787.50	\$1,338.75	Address TARS issues in correspondence and discussions with E Weineck and P Berg (Otterbourg), T Rogers (PPCO CFO), review of record
Solsvig III, Curtis G.	3/30/2021	1.20	787.50	\$945.00	Address TARS issues in correspondence and discussions with E Weineck and P Berg (Otterbourg), T Rogers (PPCO CFO), review of record
Solsvig III, Curtis G.	3/31/2021	0.40	787.50	\$315.00	Address TARS issues in correspondence and discussions with E Weineck and P Berg (Otterbourg), T Rogers (PPCO CFO), review of record

Total: 03 Asset Disposition

23.30 \$18,382.50

Work Code Narrative: PP Receiver

Timekeeper	Date	Hours	Rate	Amount	Description
06 Case Administration					
Solsvig III, Curtis G.	1/14/2021	0.20	787.50	\$157.50	Correspond with Receiver team re Q4 reporting
Edwards, William	1/15/2021	0.70	765.00	\$535.50	Call with Receiver and her counsel re: claims analysis, distribution plan, asset sales and status report
Edwards, William	1/22/2021	1.00	765.00	\$765.00	Participate in call re: claims analysis, with Receiver and her legal counsel
Edwards, William	1/25/2021	0.30	765.00	\$229.50	Call with E. Weinick re: prep for SEC meeting and discussion of investor calls
Kirschner, Marc	1/29/2021	1.00	855.00	\$855.00	Strategy meeting with Receivership team
Edwards, William	1/29/2021	1.00	765.00	\$765.00	Call with Receiver and her counsel re: workstream planning, claims analysis review and prep for meeting with SEC
Solsvig III, Curtis G.	2/1/2021	1.10	787.50	\$866.25	Prepare asset-related section of SEC presentation
Solsvig III, Curtis G.	2/2/2021	0.90	787.50	\$708.75	Review SEC presentation and edit
Solsvig III, Curtis G.	2/4/2021	2.30	787.50	\$1,811.25	Edit SEC draft presentation
Kirschner, Marc	2/5/2021	0.50	855.00	\$427.50	Review draft presentation to SEC
Kirschner, Marc	2/5/2021	1.00	855.00	\$855.00	Attend stratgy meeting with Receiver
Solsvig III, Curtis G.	2/5/2021	0.40	787.50	\$315.00	Correspond with Receivership team re SEC presentation and related issues
Edwards, William	2/5/2021	1.00	765.00	\$765.00	Participate in meeting re: plan of distribution and claims analysis with Receiver and her legal counsel
Solsvig III, Curtis G.	2/8/2021	1.10	787.50	\$866.25	Discuss SEC deck with M. Kirschner and follow up research on same
Edwards, William	2/8/2021	6.00	765.00	\$4,590.00	Prep for and participate in call with E. Weinick to discuss presentation to SEC
Kirschner, Marc	2/9/2021	0.80	855.00	\$684.00	Prepare for meeting with SEC
Solsvig III, Curtis G.	2/9/2021	0.80	787.50	\$630.00	Follow up on SEC deck edits for M. Kirschner and correspond with PPCO team on same
Edwards, William	2/9/2021	1.00	765.00	\$765.00	Call re: claims analysis and SEC presentation, with Receiver and her legal counsel
Kirschner, Marc	2/10/2021	2.00	855.00	\$1,710.00	Meeting with SEC
Edwards, William	2/10/2021	2.00	765.00	\$1,530.00	Meet with SEC re: claims analysis and plan of distribution, with M. Kirschner, Receiver and her legal counsel
Kirschner, Marc	2/12/2021	0.80	855.00	\$684.00	Meeting re strategy with Receivership Team
Edwards, William	2/12/2021	0.80	765.00	\$612.00	Call re: claims analysis and plan of distribution, with Receiver and her legal
Kirschner, Marc	2/19/2021	0.80	855.00	\$684.00	Strategy meeting with receiver
Edwards, William	2/19/2021	1.20	765.00	\$918.00	Prep for and participate in meeting with Receiver and her counsel re: plan of distribution and claims analysis
Edwards, William	3/5/2021	1.00	765.00	\$765.00	Participate in claims analysis and planning meeting, with Receiver and her counsel
Edwards, William	3/11/2021	0.50	765.00	\$382.50	Prep for and call with investor re: case and claims status
Kirschner, Marc	3/12/2021	0.80	855.00	\$684.00	Strategy meeting with Receivership Team
Edwards, William	3/12/2021	0.60	765.00	\$459.00	Call with Receiver and her counsel re: claims analysis and related workstreams
Kirschner, Marc	3/19/2021	0.40	855.00	\$342.00	Participate in Receivership Strategy meeting
Edwards, William	3/19/2021	0.70	765.00	\$535.50	Call with Receiver's legal team re: claims analysis and related workstreams
Edwards, William	3/24/2021	0.30	765.00	\$229.50	Call with N. Jacobson re: certain administrative matters and claims, with E. Weinick
Kirschner, Marc	3/26/2021	0.40	855.00	\$342.00	Attend Strategy meeting with Receiver
Edwards, William	3/26/2021	0.50	765.00	\$382.50	Call with Receiver's counsel and T. Rogers re: workstream status and claims process
Edwards, William	3/30/2021	0.20	765.00	\$153.00	Call with N. Jacobson re: certain administrative matters and claims, with E. Weinick



Work Code Narrative: PP Receiver

Timekeeper	Date	Hours	Rate	Amount	Description
Total: 06 Case Administration					
		34.10		\$27,004.50	
<hr/>					
Grand Total					
		68.40		\$52,069.50	

EXHIBIT E



Detailed Expenses by Category: PP Receiver

For Expenses Through 3/31/2021

Expense	Start Date	End Date	Invoice Date	Description	Amount
<u>: Telephone, Postage</u>					
	12/17/2020	12/17/2020	WE	W. Edwards - StartMeeting Conference Call - Inv # 61566458	\$0.92
	12/23/2020	12/23/2020	CS	C. Solsvig - StartMeeting Conference Call - Inv # 61566458	\$1.00
Total: Telephone, Postage					\$1.92
Grand Total					\$1.92

EXHIBIT F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

No. 16-cv-6848 (BMC)

-v- :

PLATINUM MANAGEMENT (NY) LLC; :
PLATINUM CREDIT MANAGEMENT, L.P.; :
MARK NORDLICHT; :
DAVID LEVY; :
DANIEL SMALL; :
URI LANDESMAN; :
JOSEPH MANN; :
JOSEPH SANFILIPPO; and :
JEFFREY SHULSE, :

Defendants. :

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**CERTIFICATION IN SUPPORT OF FIFTEENTH INTERIM APPLICATION OF
GOLDIN ASSOCIATES, LLC FOR ALLOWANCE OF COMPENSATION AND
REIMBURSEMENT OF EXPENSES INCURRED DURING THE PERIOD
JANUARY 1, 2021 THROUGH MARCH 31, 2021**

I, Marc S. Kirschner (the “Certifying Professional”), hereby certify that Goldin Associates, LLC (“Goldin”) has designated me as the Certifying Professional with respect to the Certification required by Section A of the *Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission* (the “SEC Receivership Billing Instructions”) and certify that:

1. I am a Senior Managing Director of Goldin, which is located at 350 Fifth Avenue, New York, New York.

2. I have read Goldin's Fifteenth Interim Application for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period January 1, 2021 through March 31, 2021 ("Fifteenth Interim Application").

3. To the best of my knowledge, information and belief formed after reasonable inquiry, the Fifteenth Interim Application and all fees and expenses sought are true and accurate and comply with the SEC Receivership Billing Instructions.

4. All fees contained in the Fifteenth Interim Application are based on the rates listed in Goldin's Fee Schedule (**Exhibit B** to the Fifteenth Interim Application) and all such fees are reasonable, necessary and commensurate with the skill and expertise required for the activity performed.

5. Goldin has not included in the amounts for which expense reimbursement is sought the amortization of the cost of any investment, equipment or capital outlay (except to the extent any such amortization is included within the permitted allowable amounts for photocopies and fax transmission).

6. In seeking reimbursement for a service which Goldin justifiably purchased or contracted for from a third party (such as copying, messenger services and overnight courier), Goldin requests reimbursement only for the amount billed to Goldin by the third party vendor and paid by Goldin to such vendor. Goldin is not making a profit on such reimbursable service.

7. The fees and expenses contained in the Fifteenth Interim Application were incurred in the best interests of the Receivership Estate.

8. With the exception of the Billing Instructions, Goldin has not entered into any agreement, written or oral, express or implied, with any person or entity concerning the amount of compensation paid or to be paid from the Receivership Estate, or any sharing thereof.

Dated: July 13, 2021
New York, NY

/s/ Marc S. Kirschner
Marc S. Kirschner
Certifying Professional

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-v- :

No. 16-cv-6848 (BMC)

PLATINUM MANAGEMENT (NY) LLC; :

PLATINUM CREDIT MANAGEMENT, L.P.; :

MARK NORDLICHT; :

DAVID LEVY; :

DANIEL SMALL; :

URI LANDESMAN; :

JOSEPH MANN; :

JOSEPH SANFILIPPO; and :

JEFFREY SHULSE, :

Defendants. :

-----X

[PROPOSED] ORDER APPROVING FIFTEENTH INTERIM APPLICATION OF GOLDIN ASSOCIATES, LLC FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES INCURRED DURING THE PERIOD JANUARY 1, 2021 THROUGH MARCH 31, 2021

THIS MATTER coming before the Court on the Fifteenth Interim Application of Goldin Associates, LLC (“Goldin”) for Allowance of Compensation and Reimbursement of Expenses Incurred During the Period January 1, 2021 through March 31, 2021 (the “Fifteenth Interim Application”)¹ [Dkt. No. ____]; and the Court having considered the Fifteenth Interim Application and exhibits and other documents filed in support of the Fifteenth Interim Application; and the Court having found that the Fifteenth Interim Application complies with applicable standards for awarding fees and expenses; and after due deliberation and for good and sufficient cause shown; it is hereby

¹ Capitalized terms utilized but not otherwise defined herein shall have the meaning ascribed to them in the Fifteenth Interim Application.

ORDERED that the Fifteenth Interim Application for the period covering January 1, 2021 through March 31, 2021 (the “Fifteenth Application Period”) is granted; and it is further

ORDERED that Goldin’s compensation for the Fifteenth Application Period is allowed on an interim basis in the amount of \$52,069.50 (the “Allowed Fees”); and it is further

ORDERED that Goldin’s request for reimbursement of its out-of-pocket expenses for the Fifteenth Application Period is allowed on an interim basis in the amount of \$1.92; and it is further

ORDERED that the Receiver is authorized to immediately pay from the Receivership assets (i) the Allowed Fees, less the Holdback Amount; plus (ii) 100% of the allowed out-of-pocket expenses of Goldin.