

1 CATHERINE E. PAPPAS
(*pro hac* pursuant to LR IC 2-1)
2 SECURITIES AND EXCHANGE COMMISSION
1617 JFK Blvd., Ste. 520
3 Philadelphia, PA 19103
Telephone: (215) 597-0657
4 pappasc@SEC.GOV
Counsel for Plaintiff
5 Securities and Exchange Commission

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 **SECURITIES AND EXCHANGE**
COMMISSION,

9 **Plaintiff,**

10 **v.**

Case No.: 2:13-cv-1658-JCM-CWH

11 **EDWIN YOSHIHIRO FUJINAGA, et al.,**
Defendants,

12 **and**

13 **JUNE FUJINAGA,**
14 **CSA SERVICE CENTER, LLC,**
THE FACTORING CO., and
15 **THE YUNJU TRUST,**
16 **Relief Defendants.**

17 **Notice of the Distribution Agent's Fourth Status Report**

18 Pursuant to paragraph 2(h) of the Order Appointing a Distribution Agent and a Tax
19 Administrator and Authorizing Payment of Administrative Fees and Expenses and Tax
20 Obligations (ECF No. 509, the "Appointment Order"), and paragraph 63 of the distribution plan
21 approved by this Court on October 4, 2023 (ECF No. 594, the "Plan"), Plaintiff Securities and
22 Exchange Commission (the "SEC") hereby files the attached Distribution Agent's fourth status
23 report. *See* Exhibit 1. In accordance with the Appointment Order and the Plan, the SEC
24
25

anticipates that it will file the Distribution Agent's Fifth Status Report on or before January 30, 2025.

Dated: October 15, 2024

Respectfully submitted,

/s/ Catherine E. Pappas
Catherine E. Pappas
(*pro hac* pursuant to LR IC 2-1)
Attorney for Plaintiff
SECURITIES AND EXCHANGE
COMMISSION
One Penn Center
1617 JFK Blvd., Ste. 520
Philadelphia, Pa. 19103
Tel: 215-597-0657
Fax: 215-597-2740
pappasc@SEC.gov

Att: Exhibit 1 (Distribution Agent's Fourth Status Report)

CERTIFICATE OF SERVICE PURSUANT TO LR 5-1

I certify that on October 15, 2024, I served counsel of record with the foregoing document via the Court's ECF system.

/s/ Catherine E. Pappas
Catherine E. Pappas

Exhibit 1

(Fourth Status Report)

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

EDWIN YOSHIHIRO FUJINAGA, *et al.*,

Defendants,

and

JUNE FUJINAGA,
CSA SERVICE CENTER, LLC,
THE FACTORING CO., and
THE YUNJU TRUST,

Relief Defendants.

Case No.: 2:13-cv-1658-JCM-CWH

THE DISTRIBUTION AGENT'S FOURTH STATUS REPORT

Kroll Settlement Administration LLC ("Kroll"), the Court-appointed Distribution Agent in the above-captioned matter, respectfully submits this Status Report pursuant to the Court's *Order Appointing a Distribution Agent and a Tax Administrator and Authorizing Payment of Administrative Fees and Expenses and Tax Obligations*, entered March 18, 2019 (the "Order," ECF No. 509) and the Distribution Plan approved by the Court on October 4, 2023 (ECF No. 594, the "Plan"). By the Order, this Court appointed Kroll as the Distribution Agent for the collections in this action (the "Distribution Fund"), to oversee the administration and distribution of the Distribution Fund in coordination with the Securities and Exchange Commission's ("SEC") counsel of record. Pursuant to paragraph 2(h) of the Order, the Distribution Agent is

1 required to file with the Court or provide to the SEC's counsel of record to file with the Court,
2 quarterly status reports. This report covers the third quarter of 2024.

3 **Tasks Performed by the Distribution Agent Since the Last Status Report**

4 Since the Third Status Report, Kroll has performed the following tasks in connection with
5 its role as the Court-appointed Distribution Agent in the instant case:

- 6 • Reviewed submissions from Preliminary Claimants¹ and updated the database with
7 corrected and/or payment information;
- 8 • Received and responded to inquiries from Preliminary Claimants and their
9 representatives and assisted them in submitting the information requested;
- 10 • Continued to maintain and monitor the dedicated website, the toll-free telephone number
11 and P.O. Box;
- 12 • Established an Escrow Account in accordance with the Plan and executed the Escrow
13 Agreement with the Bank; and
- 14 • Monitored the Related Class Action in anticipation of residual funds to be sent to the
15 Distribution Fund for inclusion in the current distribution.

16
17 **Anticipated Next Steps**

18 Kroll will continue to execute the Plan including:

- 19 • Upon receipt of any additional funds from the Related Class Action, work with the Tax
20 Administrator to determine the Reserve and the Net Available Distribution Fund;
- 21 • Compile the Payee List and work with the SEC staff to finalize a declaration consistent
22 with paragraph 38 of the Plan for submission with a Motion to Disburse;
- 23 • Upon Court order and the SEC's transfer of funds to the Escrow Account, issue
24 Distribution Payments in accordance with the Court order; and;


25

¹ Capitalized terms not defined herein are used as defined in the Distribution Plan.

- File a fifth status report on or before January 31, 2025.

Dated: October 15, 2024

Respectfully submitted,

By: 
Robert Cormio
Kroll Settlement Administration LLC
Distribution Agent
2000 Market Street, Suite 2700
Philadelphia, PA 19103