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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8 **Northern Division**

9
10 SECURITIES AND EXCHANGE
11 COMMISSION,

11 Plaintiff,

12 v.

13 DAVID B. KAPLAN, ESQ.,
14 SYNCHRONIZED ORGANIZATIONAL
15 SOLUTIONS, LLC,
16 SYNCHRONIZED ORGANIZATIONAL
17 SOLUTIONS INTERNATIONAL, LTD.,
18 and MANNA INTERNATIONAL
19 ENTERPRISES, INC.,

20 Defendants,

21 and

22 LISA M. KAPLAN,
23 THE WATER-WALKING
24 FOUNDATION, INC., and
25 MANNA INVESTMENTS, LLC,
26

27 Relief Defendants.
28

Case No. 3:16-cv-00270-MMD-VPC

Honorable Miranda M. Du

**MOTION FOR LEAVE TO FILE A SUR
REPLY TO MOTION TO COMPEL**

1 Plaintiff Securities and Exchange Commission (the “Commission” or “SEC”) hereby submits
2 this motion for leave to file a sur reply to Dean Properties’ Motion to Compel if the Court requires
3 further information concerning the time period requested by the Commission to complete the
4 following three steps in the distribution process:

- 5
- 6 • Appointment of a Distribution Agent – The Commission has solicited four bids from
7 potential distribution agents; we must compare the proposals, select the preferred proposal,
8 and then move the Court to appoint the recommended Distribution Agent;
- 9
- 10 • Development of a Distribution Plan – The Commission must develop and determine the
11 appropriate distribution methodology, and submit a motion and proposed Distribution Plan
12 for Court approval; and
- 13
- 14
- 15 • Distribution of Funds – The Commission must update contact information for the harmed
16 investors, provide notice to each investor, and request certification of essential information
17 from each investor, including tax information, to process their claim. In addition, the
18 Commission must provide due process to each investor, including Dean Properties, by
19 affording an opportunity for each investor to dispute their estimated recognized loss and
20 resolve each objection or dispute. Finally, the Commission must establish a reserve to pay
21 for costs of administration of the distribution, open an escrow and distribution account at a
22 commercially acceptable bank; compile a payment file; and file a motion with the Court to
23 enter an order of disbursement to investors.
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CONCLUSION

If the Court requires additional information regarding the distribution process to rule on the Motion to Compel, Dkt.162, then the Court should grant Plaintiff's Motion for Leave to File a Sur Reply.

Date: March 14, 2024

Respectfully submitted,

/s/ Adriene Mixon

Adriene Mixon

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

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CERTIFICATE OF SERVICES

I hereby certify that on March 14, 2024, I caused to be filed a true and correct copy of Plaintiff Securities and Commission’s Motion for Leave to File a Sur Reply through the Court’s Electronic Court Filing System (or CM/ECF System), which automatically sent an email notification of such filing to the parties of record.

DATED: March 14, 2024

/s/ Adriene Mixon
Adriene Mixon

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