

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

Case No: 6:21-cv-694-CEM-DCI

HARBOR CITY CAPITAL CORP., et al.,

Defendants,

and

CELTIC ENTERPRISES, LLC and
TONYA L. MARONEY

Relief Defendants.

_____ /

**RECEIVER'S UNOPPOSED MOTION TO (1) APPROVE PROCEDURE
TO ADMINISTER CLAIMS AND PROOF OF CLAIM FORM, (2)
ESTABLISH DEADLINE FOR FILING PROOF OF CLAIM FORMS, (3)
PERMIT NOTICE BY MAIL AND PUBLICATION, AND (4) APPROVE
THE RETENTION OF SIMPLURIS AND INCORPORATED
MEMORANDUM OF LAW**

Katherine C. Donlon, as Receiver over the corporate defendants and Celtic Enterprises (the "Receiver" and the "Receivership"), respectfully moves this Court for an order (1) approving the Proof of Claim Form attached as **Exhibit 1** and the procedure to administer claims set forth in this motion; (2) establishing a deadline for filing claims against the Receivership; (3) permitting notice of the deadline by mail in the form attached as **Exhibit 2**

(the “Postcard Notice”) and by publication on the Receiver’s website (www.harborcityreceivership.com) in the form attached as **Exhibit 3** (the “Notice”), and (4) approving the retention of Simpluris to assist with the logistical aspects of the Claims Process.

Background

The Court entered a temporary restraining order (Doc. 6) imposing a temporary injunction against the Defendants and Relief Defendants, freezing their assets and granting other relief. The TRO was extended on three occasions. (Docs. 20, 31, and 38) On May 19, 2021, the Court issued an order (Doc. 56) granting the SEC’s request for a preliminary injunction.

On June 16, 2021, the SEC filed a motion to appoint a Receiver in this case. (Doc. 60) On November 8, 2021, the Court entered an order (Doc. 75 approving Doc. 72) appointing Katherine C. Donlon as Receiver. The Court directed her, in relevant part, to “[t]ake immediate possession of all assets, bank accounts or other financial accounts, books and records and all other documents or instruments relating to the Receivership Entities.” Doc. 72-1 (“Receivership Order”) at ¶11. Pursuant to the Receivership Order, the Receiver was appointed and directed in part to:

A. To use reasonable efforts to determine the nature, location and value of all property interests of the Receivership Entities, including, but not limited to, monies, funds, securities, credits, effects, goods, chattels, lands, premises, leases, claims, rights and other assets, together with all rents, profits,

dividends, interest or other income attributable thereto, of whatever kind, which the Receivership Entities own, possess, have a beneficial interest in, or control directly or indirectly (“Receivership Property” or, collectively, the “Receivership Estates”);

B. To take custody, control and possession of all Receivership Property and records relevant thereto from the Receivership Entities; to sue for and collect, recover, receive and take into possession from third parties all Receivership Property and records relevant thereto;

C. To manage, control, operate and maintain the Receivership Estates and hold in Receiver’s possession, custody and control all Receivership Property, pending further Order of the Court;

* * *

I. To bring such legal actions based on law or equity in any state, federal, or foreign court as the Receiver deems necessary or appropriate in discharging Receiver’s duties.

Doc. 72-1 at 4-5. In accordance with the terms and conditions of the Order, the Receiver, among other things, has gathered any discoverable Receivership assets and liquidated them.

The SEC’s complaint charges the Defendants with violations of various federal securities laws and regulations in connection with a Ponzi scheme that raised more than \$17 million from approximately 100+ victim investors (the “**Scheme**”). The Complaint (Doc. 1) contain a more detailed description of the Scheme.

In essence, investors were lured into the Scheme through the sale of unregistered securities in the form of notes that promised high returns purportedly earned by investing in digital media. In reality, the purported investment opportunity was a fraudulent scheme in which money raised from new investors and additional money raised from existing investors was used to (1) pay fictitious returns and purported principal redemptions to existing investors; (2) pay unauthorized personal and business expenses; and (3) invest in unrelated business ventures. While some investors received funds from the Receivership Entities, most did not.

For the foregoing reasons, to determine the extent of the Receivership Entities' legal obligations, and to allow investors, creditors, and any other interested parties to advise the Receiver of any possible claims against the Receivership Entities, the Receiver proposes that the Court approve the Proof of Claim Form attached as **Exhibit 1** and the procedures to administer claims set forth below.

Relief Requested

Pursuant to the Order, the Receiver was obligated to take possession of the Receivership Entities' assets for the benefit of its creditors — including the victim investors — and to take whatever other steps are necessary for the creditors' protection. The Receiver's goal is to distribute liquidated assets to creditors with allowed claims (the "Distributions") in a fair and equitable

manner. The Receiver has collected and liquidated approximately \$285,000 in liquid assets. After costs and fees related to the claims process, it is anticipated that the Receiver will have approximately \$230,000-240,000 for distribution to victims through this Claims Process. To expedite the distribution of these funds, the Receiver moves the Court to establish the process for determining claims so that collected funds can begin to be distributed at the earliest possible time. The Receiver will submit a proposed distribution plan for the Court's approval in a subsequent motion.

A. Claims Bar Date

The Receiver seeks entry of an order establishing a deadline by which all claimants holding a claim against a Receivership Entity arising out of the activities of the Receivership Entities (the "Claimants") must assert their claim (the "Claims Bar Date").¹ The Receiver proposes that the Claims Bar Date be set 75 days from the mailing of the Postcard Notice to known possible Claimants. This date will allow sufficient time to potential Claimants to file a claim with the Receiver. This will also provide the Receiver time to re-mail any Claimants whose initial communications come back undeliverable. Claimants must file claims to participate in any distribution of Receivership assets. The

¹ The Receiver will calculate and insert the specific date for the Claims Bar Date in the Postcard Notice, Notice, and Proof of Claim Form. The proposed Postcard Notice, Notice, and Proof of Claim Form currently contain blanks where the Receiver intends to insert this date.

Receiver proposes that any claim received after the Claims Bar Date be disallowed.

A Claims Bar Date is necessary to allow as many Claimants as possible to participate in the claims process while also allowing the Receiver to obtain certainty in a reasonably prompt fashion of the total amount of potential claims to the Receivership assets. Such certainty is necessary to be able to determine the amount of money each Claimant with an allowed claim is entitled to receive and to facilitate a timely claims resolution and distribution process.

B. Notice by Mail and Publication

The Receiver and her professionals have spent time gathering and examining documents and other data relating to the Receivership Entities. Based on the review of these documents, the Receiver believes she has identified most of the Receivership Entities' investors. As to these known potential Claimants, the Receiver generally possesses last known mailing addresses. The Receiver has determined, however, that the Receivership Entities' records may lack completely accurate information regarding investment activities. In addition, some known Claimants may have moved or otherwise changed addresses. The Receiver also possesses email addresses for many of known potential Claimants, but the Receiver does not possess email addresses for all potential Claimants.

The Receiver's knowledge is limited to (1) the documents and

information she has been able to obtain from the Receivership Entities and investors through a registration process on the Receiver's website and (2) other information she has gathered. It is possible that some Claimants may be currently unknown, and the identities of these potential Claimants are not reasonably ascertainable. As such, providing notice of the Claims Bar Date to all potential Claimants by direct mail alone is not possible. Nonetheless, the Receiver has identified approximately 152 investor claimants of which 67 have registered through the Receiver's website.

Based upon the documents reviewed and information gathered to date, investors are located throughout at least 32 states, many of which have only one investor in that state. Given the geographically broad area in which potential Claimants are located and the significant expense associated with publication of the Notice in each of the states where potential Claimants may reside (especially weighed against the limited monies collected) and the relatively few (if any) interested parties who might benefit from such publication, the Receiver proposes publishing the Notice and Proof of Claim Form on the Receiver's website, www.harborcityreceivership.com. Also, as noted above, the Receiver also intends to communicate developments in the Claims Process to known investors through email communications as feasible.

Therefore, the Receiver seeks permission to provide the Postcard Notice to known potential Claimants by mail to their last known address (**Exhibit 2**)

and to unknown Claimants by publication on the Receiver's website (**Exhibit 3**). The Claims Bar Date will apply to all creditors and victims of the Harbor City scheme. The Receiver believes that such notice is reasonably calculated to inform all known and unknown Claimants of the Claims Bar Date and is economically feasible given the Receivership's resources.

C. Procedures to Be Applied to the Administration of Claims

The Receiver has developed a proposed procedure and Proof of Claim Form to efficiently and equitably identify potential Claimants. The Receiver's proposed procedure will ensure certainty as to the total number and amount of claims against the Receivership Estate and thus allow for an equitable distribution among Claimants.

Any proposed distribution will be based on a Claimant's Net Investment Amount. The Net Investment Amount for an investor is calculated by adding all amounts contributed by the pertinent investor and subtracting all payments made to that investor and/or in connection with that investment, regardless of whether those payments were characterized as interest, earnings, returns or redemptions of principal, incentive fees, referral fees, or any other terminology. For example, an investor who invested total funds of \$100,000 and received \$50,000 in distributions would have a Net Investment Amount of \$50,000.

Based on the information gleaned from these various sources, it is

anticipated that Proof of Claim Forms will be sent to approximately 160 people. Given these numbers, the Receiver believes it is the Receivership's best interest to outsource logistical aspects related to the Claims Process – mailing, determining more accurate addresses if mail is returned, addressing clerical deficiencies, assisting with data entry of information from the returned Proof of Claim Forms, and processing distributions. The Receiver believes that Simpluris is the best candidate to provide these services. Simpluris has provided the attached proposal for the services it will provide to make this distribution go smoothly for the Claimants. As such, the Receiver seeks this Court's approval of Simpluris's retention. Simpluris has been providing these types of services to the SEC and FTC and parties involved in class actions for many years and has been approved for these services in courts throughout the country. Attached for the Court's review is material related to Simpluris's background, the services it provides, and its proposal for services in this case. *See Exhibit 4.*

To make the process of submitting a claim less burdensome for investors, the Receiver proposes that Simpluris will mail the Postcard Notice to each known investor providing summary information to the investor. The Postcard Notice will provide each investor with an identifying code which will be used when completing the Claim Form. The Postcard Notice will direct the potential claimant to the Receiver's website where there will be a link to Simpluris' site

to submit an electronic Claim Form. Alternatively, the investor may contact Simpluris for a hard copy of the Claim Form to be mailed to them. Instructions regarding the Claims Process will also be located on the Receiver's website.

Each investor must submit a Claim Form, either electronically or by mail, to be considered for the distribution process. The investor is required to provide information related to their investments made and distributions received. The Claim Form must be fully completed and signed under penalty of perjury and submitted before the Claims Bar Date, as specified below, to be considered.²

If there is a deficiency in the submitted Claim Form, in the Receiver's discretion, the Receiver may provide notice of that deficiency to the submitting Claimant by mail, electronic communication, or telephone call. The Claimant will then have the later of either the Claims Bar Date or thirty (30) days from the date the notice of deficiency was provided to correct the deficiency as directed by the Receiver to preserve his or her claim. If the Receiver determines that it is in the best interest of the Receivership, she may choose to address deficiencies through the objection procedure, which will be discussed in the Receiver's Motion to Approve Claim Determinations. The Receiver also may

² After the Claims Bar Date has passed and the Receiver has reviewed all claims and made claim determinations for all submitted claims, she will file a motion to approve her recommended determination and priority of claims and an objection procedure ("Motion to Approve Claim Determinations").

request additional information from a Claimant. A Claimant's failure to cure a deficiency or provide additional information may result in denial of the claim.

The Receiver has not recovered sufficient funds to pay all allowed claims in full. In receiverships, Claimants with allowed claims generally recover a percentage of their losses. As such, the Net Investment Amount will serve as the basis for determining the recipients and amount of Distributions to be paid to victim investors.³ The identification of a Net Investment Amount does not mean that the investor has a valid claim. The Receiver reserves the right to object to the validity of any claim notwithstanding the identification of any such amount.

The Receiver reserves the right to reject any altered Proof of Claim Form. A rejection will be treated as a deficiency, and the Claimant will have the time indicated above within which to submit an acceptable Proof of Claim Form. Each Proof of Claim Form must be signed by the Claimant or, if the Claimant is not an individual, by an authorized agent of the Claimant. If the claim is being submitted by more than one person (i.e., a joint claim by husband and wife), all persons submitting the claim must sign the Proof of Claim Form. The

³ To the extent any non-investor claims are submitted (for example, a claim submitted by an individual or entity who provided services to a Receivership Entity before the appointment of the Receiver), any such claims would only be paid if investor claimants are paid in full. Given the limited funds recovered, there will be no funds to pay to any non-investor claimants.

Claimant must attest under penalty of perjury that the information, including any information provided by the Receiver, is true and correct. Each Proof of Claim Form must be legible, written in English, and denominated in United States currency. The submission of a claim will subject the Claimant to the jurisdiction of the United States District Court for the Middle District of Florida.

All Proof of Claim Forms must be sent (or submitted online) so as to be received on or before the Claims Bar Date. Proof of Claim Forms may be submitted by one of the following options:

- (i) online, through the Receiver's eClaims portal which can be accessed at the Receiver's website – www.harborcityreceivership.com;
- (ii) electronically, by emailing the completed Proof of Claim Form to admin@hcreceivershipclaims.com; or
- (iii) by submitting the completed Proof of Claim Form by mail, overnight delivery or courier, to Harbor City Receivership, c/o Simpluris, P.O. Box 26170, Santa Ana, CA 92799.

It is the Claimant's responsibility to ensure that Proof of Claim Forms are properly delivered.

In the Motion to Approve Claim Determinations, the Receiver will

recommend to the Court that any properly completed and timely filed claim be considered allowed if it is established that: (1) the claim arises from or in connection with the fraudulent investment scheme set forth in the Complaint filed by the SEC in this action; (2) losses recognized by law resulted from such activities; (3) any alleged claim and losses are supported by appropriate documentation and are consistent with the books and records available to the Receiver; and (4) no ground exists for denying the claim.

As noted above, after the Claims Bar Date expires and the Receiver has evaluated all submitted claims, she will seek approval from this Court regarding: (1) allowed claim amounts; (2) priority of claims; (3) a process for the resolution of objections to claim determinations and priorities reached by the Receiver; and (4) if needed, the establishment of reserves for administration of the Receivership — until such time as the disputes are resolved.

At the appropriate time, as determined by the Receiver, she will also seek the Court's approval of a proposed plan of distribution. After Court approval, any Distribution to the Claimants will be made in an equitable manner and in accordance with the appropriate priority, and no Claimant shall receive more than his or her respective allowed amount. The Receiver anticipates only one distribution to Claimants.

All administrative expenses, including attorneys' and other

professionals' fees and costs (including Simpluris), and other administrative costs, such as expenses associated with the Claims Process will be paid from the Receivership Estate. These administrative expenses will be paid or reserved before any Distribution is made. The Receiver has not made any prior request for the relief sought in this motion to this or any other Court.

The Receiver requests that the Court (1) approve the Proof of Claim Form attached as **Exhibit 1** and the claims administration procedures set forth in this motion; (2) establish a deadline for receipt of claims that is 75 days from the mailing of the Proof of Claim Form to known possible Claimants (the Claims Bar Date); (3) permit notice of the Claims Process and Claims Bar Date via Postcard Notice to known investors in the form attached as **Exhibit 2** and to unknown persons through publication on the Receiver's website of the Notice attached as **Exhibit 3**; and (3) approve the retention of Simpluris to assist in the administration of the Claims Process.

MEMORANDUM IN SUPPORT

The Court's power to supervise an equity receivership and to determine the appropriate actions to be taken in its administration is extremely broad. *S.E.C. v. Elliott*, 953 F.2d 1560, 1566 (11th Cir. 1992); *S.E.C. v. Hardy*, 803 F.2d 1034, 1038 (9th Cir. 1986). "A district court has summary jurisdiction over receivership proceedings and may deviate from the Federal Rules of Civil Procedure in favor of exercising its broad powers and wide discretion to

determine relief.” *S.E.C. v. Torchia*, 922 F.3d 1307, 1316 (11th Cir. 2019) (internal quotations omitted). The Court’s wide discretion derives from the inherent powers of an equity court to fashion relief. *Bendall v. Lancer Mgmt. Grp., LLC*, 523 F. App’x 554, 557 (11th Cir. 2013) (citing *Elliott*, 953 F.2d at 1566). The relief sought by the Receiver falls squarely within those powers.

In receivership proceedings, “[e]very person who has any claim or demand against the estate or property in the custody of the court through the receiver . . . must assert such claim or demand in the court in which such receiver was appointed.” Ralph E. Clark, Clark on Receivers § 646, at 1132 (3rd ed. 1992); *see also S.E.C. v. Morriss*, 2014 WL 585395, at *3 (E.D. Mo. Feb. 14, 2014) (holding that claimant forfeited his right to either claim or object to a distribution by failing to submit a claim). One way for claimants to assert a claim is for claimants to be authorized “under a general order of the appointing court [to file their] claim with the receiver.” Clark on Receivers § 646, at 1132. The receiver may agree or disagree with the claim, which claim is ultimately approved or disapproved by the court. *Id.*; *see also S.E.C. v. Founding Partners Capital Mgmt.*, 2014 WL 2993780, at *1 (M.D. Fla. July 3, 2014) (agreeing with and adopting the receiver’s recommendations concerning investor claims). “The claims should be definite enough to enable the receiver to pass on their validity, fairness and legality and to place them in their proper and legal category of claims for preference, if any.” Clark on Receivers § 651, at 1142.

In addition to approving the proof of claim form, it is not unusual for a court overseeing a receivership to enter an order limiting the time within which claims must be presented. *See S.E.C. v. Onix Capital, LLC*, 2018 WL 1124435 (S.D. Fla. 2018) (“among these broad powers is the power to establish proof of claim procedures and set an effective claims bar date”) (citations omitted). An order limiting the time within which claims must be submitted has been deemed to be necessary to “lay the foundation for the court to order payments to creditors and distribution to those entitled to receive.” Clark on Receivers § 651, at 1142. Furthermore, a court with jurisdiction over a receivership, by advertisement and by proper notices by mail, by publication and otherwise should take measures to notify interested parties affected by the receivership. *Id.* § 652, at 1143; *see also S.E.C. v. Neal*, 2007 WL 1231790, at *1 (D. Or. Apr. 24, 2007) (denying claimant’s objection to the denial of his claim filed after the claims bar date despite claimant’s assertion that he never received notice where notice to claimants was published in newspapers and online). This Court has previously approved procedures, proof of claim forms, and claims bar dates such as those proposed in this motion. *See, e.g., S.E.C. v. Brian Davison, et. al.*, Case No. 8:20-cv-00325-MSS-MRM, Order Doc. 966 (M.D. Fla. July 26, 2023), *S.E.C. v. Arthur Nadel et. al.*, Case No. 8:09-cv-00087-RAL-TBM, Order Doc. 391 (M.D. Fla. Apr. 21, 2010); *S.E.C. v. A. Nadel*

et. al., Case No. 8:09-cv-00087-RAL-TBM, Order Doc. 1241 (M.D. Fla. June 17, 2016).

Under the terms and conditions of the Receivership Order, the Receiver, among other things, is authorized, empowered, and directed to (a) administer the assets of the Receivership Entities and (b) determine the extent of liabilities the Receiver believes to be the legal obligations of the Receivership Entities. *See Docs. 72-1, 75.* In exercising her duties, the Receiver has determined that it is reasonable, advisable, and in the best interest of the Receivership that the Court approve the claims administration procedure, including the retention of Simpluris, Notice, Claims Bar Date, Proof of Claim Form, and Claims Process Instructions set forth in this motion and in the attached exhibits.

WHEREFORE, Katherine C. Donlon, as Receiver, respectfully requests that this Court enter an order (1) approving the Proof of Claim Form attached as **Exhibit 1** and the claims administration procedure as set forth in this motion, (2) establishing the Claims Bar Date requested herein, (3) permitting notice of the Claims Process and the Claims Bar deadline in the forms attached as **Exhibits 2** and **3** and as described above, (4) approving the retention of Simpluris Agent Services, and (5) allowing all such further relief as this Court deems just and proper.

LOCAL RULE 3.01(G) CERTIFICATION

The Receiver has conferred with counsel for the SEC and is authorized to represent to the Court that the SEC does not object to the relief sought.

Respectfully submitted,

/s/ Nicole D. Newlon
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Counsel for Receiver Katherine Donlon

VERIFICATION OF THE RECEIVER

I, Katherine C. Donlon, Court-Appointed Receiver in the above-styled matter, hereby certify that the information contained in this motion is true and correct to the best of my knowledge and belief.

s/ Katherine C. Donlon
Katherine C. Donlon, Court-Appointed Receiver

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 18, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system.

/s/ Nicole D. Newlon
Nicole D. Newlon

EXHIBIT 1

PROOF OF CLAIM FORM

SEC v. Harbor City Capital Corporation, et al.
 U.S. District Court Middle District of Florida (Orlando Division)
 Case Number: 6:21-cv-00694-CEM-DCI

«IMbFullBarcodeEncoded»

«FirstName» «LastName» «BusinessName»

«Address1» «Address2»

«City», «State» «Zip»-«ZipDPC3»

SIMID «SIMID»
 «Notice_Encoded»

ATTENTION: The Honorable Carlos E. Mendoza of the United States District Court, Middle District of Florida, entered an order appointing Katherine C. Donlon as Receiver over the assets of the above-captioned corporate defendants and relief defendant Celtic Enterprises LLC (individually, a “**Receivership Entity**,” and collectively, “**Receivership Entities**”). The Receivership Estate does not include the individual defendant and individual relief defendant. On [REDACTED], the Court issued an order establishing a Claims Bar Date for all claims and approving this Proof of Claim Form and the basic procedures to administer any claims. To be eligible to receive a distribution from the Receivership Entities’ assets, you must complete and return this Proof of Claim Form and, if applicable, provide the requested documentation, so that it is received by the Receiver on or before [REDACTED], 2025. Proof of Claim Forms may be submitted by one of the following options: (i) **online, through the Receiver’s eClaims portal which can be accessed at Receiver’s website – www.harborcityreceivership.com**; (ii) **electronically, by emailing your completed Proof of Claim Form to admin@hcreceivershipclaims.com**; or (iii) **by submitting your completed Proof of Claim Form by mail, overnight delivery or courier, to Harbor City Receivership, c/o Simpluris, P.O. Box 26170, Santa Ana, CA 92799.**

The proper submission of this completed claim form may entitle you to receive a distribution from the Receivership. Altered forms will not be accepted. Questions regarding this form and the submission of same may be submitted to info@hcreceivershipclaims.com or by calling 1-833-360-6851.

The information provided in this Proof of Claim Form will be used to determine your rights to a distribution, if any, from the Receivership. The Receiver has the right to dispute and/or verify any information you have provided to determine the proper distribution amount, if any, to which you may be entitled.

IMPORTANT INFORMATION TO READ PRIOR TO SUBMITTING THIS FORM

Any person or entity submitting this Proof of Claim Form submits to the exclusive jurisdiction of the above-captioned Court for all purposes, including, without limitation, as to any claims, objections, defenses, or counterclaims that could be or have been asserted by the Receiver against such Claimant or the holder of such claim in connection with this Receivership, including, those arising out of (1) any dealing or business transacted by or with any Receivership Entity and/or (2) any dealing or business transacted that relates in any way to any Receivership property. Claimant further agrees by making this submission to waive any right to a jury trial with

respect to such claims, objections, defenses, and counterclaims.

IF THIS COMPLETED FORM, SIGNED UNDER PENALTY OF PERJURY, IS **NOT RECEIVED** BY THE RECEIVER THROUGH ONE OF THE APPROVED SUBMISSION METHODS LISTED ABOVE BY [REDACTED], **2025**, YOU WILL BE FOREVER **BARRED** FROM ASSERTING ANY CLAIM AGAINST THE RECEIVERSHIP ENTITIES' ASSETS AND YOU WILL **NOT** BE ELIGIBLE TO RECEIVE ANY DISTRIBUTIONS FROM THE RECEIVER.

General Instructions:

Except where specified, you **must** answer each and every question on the following pages. Please answer each question applicable to you as fully as possible. If you need additional space to complete an answer, please attach a separate sheet of paper and indicate the number of the question for which you are providing the additional information. If the question does not apply to you, please write "not applicable." If the answer to the question is "no" or "none," please answer as such.

1. Full name of the Claimant (the person or entity making this claim to Receivership assets).

Claimant/Entity 1

FIRST NAME/ENTITY NAME

LAST NAME

Claimant/Entity 2 (if held jointly)

FIRST NAME/ENTITY NAME

LAST NAME

2. If this form is being completed by a person other than the Claimant or on behalf of an entity, please provide the full name, address, telephone number, and email address of the person completing this form and the basis for that person's authority to act on the Claimant's behalf. **If you are a power of attorney, trustee, or other fiduciary completing this form on behalf of the Claimant in question 1, you must provide documentation with this Proof of Claim Form reflecting your legal authority to do so.**

FIRST NAME

LAST NAME

MAILING ADDRESS 1

MAILING ADDRESS 2

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

EMAIL ADDRESS

3. If this form is being completed on behalf of an entity, please provide the full names of the entity's officers, directors, trustees, managing agents, shareholders, partners, beneficiaries, and any other party with an interest in the entity.

First Name	Last Name	Relationship/Title

4. Please provide contact information at which the Claimant authorizes the receipt of all future communications relating to this claim, including any possible distribution payment the Claimant may receive. It is the Claimant's sole responsibility to advise the Receiver of any change to this address after the submission of this form.

MAILING ADDRESS 1

MAILING ADDRESS 2

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

EMAIL ADDRESS

5. Do you consent to the receipt of electronic communications via the email address provided above from the Receiver in lieu of mailed communications where feasible and in the Receiver's discretion?

☐ Yes ☐ No

6. If the Claimant's interest is held in a qualified account (i.e., IRA, 401k, etc.), please confirm the name of the custodian (i.e., Goldstar, Vantage, etc.).

Custodian Name:

7. Provide the basis for your claim (please check applicable boxes):

☐ Investor

☐ Other (specify basis)

8. Please provide the following information regarding your investment in or with, or interest in, any Receivership Entity, and attach copies of all checks, bank or other financial account statements, invoices, wire transfer confirmations, and other documents relating to your answer.

Amount	Date of Investment	Payable To	Account Number	Financial Institution

If additional investments were made, please attach a separate sheet identifying (1) those amounts, (2) the dates on which they were made, (3) the payee of the check (or recipient of the wire transfer), and (4) the account number and financial institution on which the check was drawn, or the wire transfer initiated.

Total amount you are claiming you invested with the Receivership Entities: \$

9. Have you (whether personally or through your qualified account) ever received any money from a Receivership Entity, including as an “interest” payment, “return of principal,” or distribution relating to your investment or for any other reason?

☐ Yes ☐ No

If yes, please provide the following information for each amount received, and attach copies of all checks, bank or other financial account statements, wire transfer confirmations, and other documents relating to your answers.

Date	Amount	Payor/Payee of check/wire

If any additional amounts were received from any Receivership Entity, please attach a separate sheet identifying those amounts, the dates on which they were received, and the payor and payee of the check(s) or wire transfers.

Total amount you are claiming you received from the Receivership Entities: \$

10. State the total amount of your claim (this is the amount that you are claiming you are owed from the Receivership; this amount should be the total amount in question 8 less the total amount in question 9):

\$

11. Did you receive any other funds or anything of value other than money (for example, a car or shares of stock) from any Receivership Entity or anyone acting on their behalf?

☐ Yes ☐ No

If yes, please identify how much or what you received, from whom, and the date it was received.

What was Received	Received From Whom	Received Date

If additional items were received, please attach a separate sheet (1) identifying how much or what you received, (2) from whom, and (3) the date it was received.

12. Are you related by blood or marriage to any of the defendants, relief defendants, or sales agents?

☐ Yes ☐ No

If yes, to whom are you related and what is the relationship?

First Name	Last Name	Relationship/Title

13. Did you receive any compensation of any nature from any Receivership Entity, including but not limited to commissions, referral fees, or marketing fees?

☐ Yes ☐ No

If yes, please identify how much or what you received, from whom, and the date it was received.

Amount Received	Date Received	Received From

14. Have you sued, threatened suit, or otherwise commenced any lawsuits, arbitrations, actions, or other proceedings, or made any demands against any person or entity relating in any way to your claim and/or any Receivership entity?

☐ Yes ☐ No

If yes, identify the nature and status of any such action, the date the action was initiated, and the name of the attorney who commenced the action.

Date	Name of Attorney	Description of Action

15. If you answered yes to question 14, have you received any money as a result of these efforts?

☐ Yes ☐ No

If yes, please provide the date you received the recovery, from whom the recovery was received, the total amount of the recovery, and the net amount you received.

Date Received	Received From	Total Amount of Recovery	Net Amount Received

Sign this Proof of Claim Form, **under penalty of perjury**, and send it along with legible copies of any documentation requested in this form, to the Receiver by one of the following options so as to be received no later than [REDACTED], **2025**: (i) online, through the Receiver's eClaims portal which can be accessed at www.harborcityreceivership.com; (ii) electronically, by emailing your completed Proof of Claim Form to admin@hcreceivershipclaims.com; or (iii) by submitting your completed Proof of Claim Form by mail, overnight delivery or courier, to Harbor City Receivership, c/o Simpluris, P.O. Box 26170, Santa Ana, CA 92799. IF YOU FAIL TO TIMELY SUBMIT YOUR PROOF OF CLAIM FORM, YOU WILL BE FOREVER BARRED FROM ASSERTING ANY CLAIM AGAINST THE RECEIVERSHIP ENTITIES' ASSETS AND YOU WILL NOT BE ELIGIBLE TO RECEIVE ANY DISTRIBUTIONS FROM THE RECEIVER.

By signing below, I certify under penalty of perjury pursuant to Florida law that the information provided in this form is true and correct. If this claim is being submitted by more than one person, all persons submitting the claim must sign below certifying under penalty of perjury that the information provided is true and correct.

Signature of Claimant: _____

Print Name: _____

Date: _____

Title (if any): _____

If joint claim:

Signature of Claimant: _____

Print Name: _____

Date: _____

Title (if any): _____

EXHIBIT 2

21-cv-00894-CEM-DCI
Harbor City Capital Receivership
Claims Administrator
PO Box 26170
Santa Ana, CA 92799

Document 206-2
3173

Filed 07/18/25 Page 2 of 3
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LEGAL NOTICE

SEC v Harbor City Capital Corp. et al.
District Court for the Middle District of Florida, Orlando Division
Case No. 6:21-cv-CEM-DCI

**YOU MAY BE ELIGIBLE FOR A DISTRIBUTION FROM THE HARBOR CITY RECEIVERSHIP
ESTABLISHED IN THE ABOVE-REFERENCED CASE. SEE REVERSE FOR MORE INFORMATION**

«IMbFullBarcodeEncoded»

«FirstName» «LastName» «BusinessName»
«Address1» «Address2»
«City», «State» «Zip»

SIMID «SIMID»
«Barcode_Encoded_200653»

Claimant # <<SIMID>>

Unique ID: <<Claim Login ID>>

Claim Login PIN: <<PIN>>

3174

What is this about? The Securities and Exchange Commission brought an enforcement action against J.P. Maroney and Harbor City Capital (and other related entities) alleging that the investments sold by Harbor City were a Ponzi scheme. The Court appointed Katherine C. Donlon as Receiver in the case. She was tasked with marshaling and liquidating assets for the benefit of aggrieved investors.

Harbor City's records show you may have invested in a Harbor City entity. Anyone who invested in Harbor City is receiving this notice. However, receiving this notice alone does not entitle you to any recovery or distribution.

You must file a Claim Form to be considered. You may access a claim form online through the Receiver's website www.harborcityreceivership.com or email admin@hcreceivershipclaims.com to have a claim form mailed to you. The deadline for the receipt of completed Claim Forms is [REDACTED], 2025. You must use the information at the top of this card to verify your identity as a Claimant. The information provided in your Claim Form will be used to determine your rights to a distribution, if any, from the Receivership. The Receiver has the right to dispute and/or verify any information you have provided to determine the proper distribution amount, if any, to which you may be entitled.

BAR DATE. If the Receiver does not receive your fully completed, signed Claim Form by [REDACTED], 2025, you will be forever barred from asserting any claim against the Receivership and you will not be eligible to receive any distributions from the Receiver.

Next Steps. The Receiver and her team will review all Claim Forms received and make recommendations to the Court regarding the payment of any distributions. Information regarding the process and the Receiver's filings with the Court can be found on the Receiver's website, www.harborcityreceivership.com.

This is only a summary. For detailed information visit www.harborcityreceivership.com or call 1-833-360-6851. You may also contact the Settlement Administrator at: Harbor City Capital Receivership Claims Administrator, P.O. Box 26170, Santa Ana, CA 92799.

EXHIBIT 3

**NOTICE OF DEADLINE REQUIRING FILING OF
PROOF OF CLAIM FORMS ON OR BEFORE [REDACTED], 2025**

TO: ALL PERSONS AND ENTITIES WITH CLAIMS AGAINST ANY OF THE CORPORATE DEFENDANTS AND RELIEF DEFENDANT (the “Receivership Entities”) in connection with the matter *Securities and Exchange Commission v. Defendants Harbor City Capital Corp., Harbor City Ventures, LLC, HCCF-1 LLC, HCCF-2 LLC, HCCF-3 LLC, HCCF-4 LLC, HCCF-5 LLC, Harbort City Digital Ventures, Inc., HCC Media Funding, LLC and Relief Defendants Celtic Enterprises, LLC and Tonya L. Maroney*, Case No. 6:21-cv-694-CEM-DCI (M.D. Fla.).

Notice is hereby given that, on [REDACTED], the Honorable Carlos E. Mendoza of the United States District Court, Middle District of Florida, issued an order establishing a claims process for the submission of claims to the assets of the Receivership Entities. The Court’s Order establishes a Claims Bar Date of [REDACTED], as the last date for each person or entity (including individuals, partnerships, corporations, joint venturers, estates, trusts, and governmental units) to submit a claim against the Receivership Entities. Failure to timely submit a completed and signed Proof of Claim Form by the Claims Bar Date will forever bar any claim you may have. Information concerning the claims process and all related documents may be obtained from the Receiver’s website at www.harborcityreceivership.com, or by requesting a copy from the Claims Administrator by email to admin@hcreceivershipclaims.com or by telephone at 1-833-360-6851.

EXHIBIT 4



Corporate Resume

Simpluris, an award winning claims administrator, has administered over 10,000 matters, managed over \$10 billion in settlement funds, and provided its services for over 15 years. Our beginning-to-end services include complete project management, mailings & notification campaigns, contact center, legal intake, data management, disbursements & tax reporting, among others.

Services

Class Action Administration

Simpluris class action and claims administration offers comprehensive settlement planning, execution, and reporting. When you bring a case to Simpluris, our team reviews each matter independently. Our subject matter experts leverage their experience to develop a settlement framework designed to meet the unique aspects of your matter. We take a consultative approach to address your challenges and support preliminary hearing preparation.

Mass Arbitration Administration

Simpluris can provide the technology and operational fulfillment resources needed to manage mass arbitrations from intake to payment in a cost-effective and efficient manner. At Simpluris, we pride ourselves on having an average of 93.5% signed releases. We have experience administering some of the largest mass arbitration cases, including Uber, Lyft, Instacart, Grubhub, Postmates, and DoorDash. Simpluris delivers solutions for matters of any size and complexity.

Regulatory Remediation

Whether internally initiated or formally required by a consent order, Simpluris aids respondents in meeting critical obligations and deadlines. Simpluris is prepared to plan and execute remediation actions tailored to your institution's size and needs. As a third-party administrator, we understand the importance of swift remediation and provide "white glove" customer service from planning, to execution, through final reporting.

Legal Corporate Services

Simpluris' services scale and adapt to meet our client's challenges. We excel at comprehensive settlement administration and remediation; however, we understand that our client's needs include a combination of many legal corporate services. No matter how simple or complex, we ask you to bring us your unique challenges so we may develop a custom solution to fit your needs.

Data Security

Simpluris is committed to the security and overall protection of its customer's data and information. We maintain SOC 1 and SOC 2 certification which requires us to adhere to strict policies and procedures surrounding information security including processing and storage of confidential customer data. Simpluris has and maintains a comprehensive, written Information Security Program that complies with all applicable laws and regulations (e.g. HIPAA, Gramm-Leach-Bliley Act, MA 201 CMR 17.00).

Executive Team

Simpluris' history is rooted in class action settlement administration and our management team's experiences are vast and diverse. The Simpluris executive leadership team boasts more than 100 years of experience in corporate, financial and legal administration, including:

- Executive management of the largest legal administration operation in the world that produced 200+ million notifications, 10+ million claims and \$5+ billion funds disbursed per year on average.
- A few of the most notable matters our leadership team has presided over include the largest data breach responses, corporate restructures and antitrust settlement administrations in US history.
- Oversight of the largest consent orders handed down from OCC, DOJ, CFPB & FTC over the last decade.
- Fostering hundreds of client relationships with the premier government entities, law firms and financial institutions in the world.

The Simpluris executive team - Kevin Lee, President & CEO; Doug Norman, SVP Business Operations; Zach Hoffman, Founder, CTO; Patrick Ivie, CRO; Wes Alford, EVP; and Paul Saroj, SVP - are experienced industry experts. Leveraging our past experiences, Simpluris is prepared to handle matters of every scope and scale.

Technology

From Simpluris' inception, our founders had a vision to develop a single comprehensive platform, purpose-built to serve the legal administration industry. Today, our proprietary technology platform, named Cadence, increases data security, mitigates errors caused by siloed databases, and speeds processes by improving transparency and collaboration between departments. Cadence is an innovative and evolving administration engine that sets our case management apart from all other legal administrators. From data ingestion, noticing, and claims processing, through disbursement, taxation, and final reporting, our project management processes are conducted inside Cadence. We see the future of legal tech evolving and are continuously developing our solutions to meet the administration needs of tomorrow.

Client Service

The Simpluris administration team is best known for their dedication to delivering premium service. When you partner with Simpluris, you work alongside a dedicated client service representative. This Simpluris team member will guide you through the settlement life cycle. Your client service representative is your administration conductor, adjusting the tempo as your case progresses. With a comprehensive view of your matter, your client service representative can respond swiftly to changes in your case, proactively notify you of upcoming milestones, and most importantly, be accountable for the successful completion of your matter.

Our team is available any time of day with offices across the nation, including two corporate hubs in Costa Mesa, CA and Orlando, FL.



(800) 779-2104
3194-C Airport Loop Dr.,
Costa Mesa, CA 92626
[simpluris.com](https://www.simpluris.com)



3194-C Airport Loop Drive
Costa Mesa, CA 92626
800-779-2104
www.simpluris.com

Estimate Number: 11072024-1
Estimate Date: 11/7/2024
Estimate Expiration Date: 2/5/2025

Prepared By: Paul Saroj
Telephone Number (mobile): 617.901.1286
Email: psaroj@simpluris.com

Primary Contact
Name: **Kacy Donlon**
Firm: Johnson, Newlon, & Decort, P.A.
Email: kdonlon@jnd-law.com

Case Name: Harbor City Receivership

Assumptions

In addition to the assumptions enumerated below, this estimate assumes that

- (1) Simpluris will receive data in a single, complete file; (2) there will be no substantial change to class size or in response rate;
- (3) administration costs will be paid from the QSF, and (4) Simpluris will submit revisions to this estimate to account for any material changes to scope.

Anticipated Class Size:	200	Undeliverable Rate:	5%
Language(s) for Communication	EN	Mail Skip Trace Success Rate:	85%
Unclaimed Funds:	SEC/Treasury	Call Rate:	5%
State(s):	Multi	Average Call Length:	N/A
Length of Administration:	TBD	Number of Distributions:	1
		Tax Year(s):	1

Case Setup

- Data compilation: develop case-specific response tracking

Category	Unit Value	# of Units	Total
Program Manager	\$175.00	12	\$2,100.00
Database Manager -Analysis/Claims Reporting	\$140.00	6	\$840.00

Claims Processing

- Claim Data Collection

Category	Unit Value	# of Units	Total
Software Developer	\$175.00	12	\$2,100.00
Data Capture Website	\$2,250.00	1	\$2,250.00
Claim Form-Informational Postcard to Complete/Request	\$0.20	200	\$40.00
Postcard Postage	\$0.48	200	\$96.00
Physical Claim Forms- To Be Mailed (20% @ 3 pages)	\$0.90	40	\$36.00
Physical Claim Form Postage	\$0.73	40	\$29.20
Web Claims (80%)	\$3.00	160	\$480.00
Physical Claims (20%)	\$5.85	40	\$234.00
Physical Claim Electronic Conversion (per page @ 5 pgs)	\$0.20	200	\$40.00
Claims Analyst (Supporting Paralegal)	\$60.00	0	TBD
Total:			\$5,305.20

Award Disbursement

Category	Unit Value	# of Units	Total
Disbursement Data Preparation	\$140.00	4	\$560.00
Setup Banking Account/QSF	\$675.00	1	\$675.00
QSF Monthly Reconciliation and Maintenance	\$75.00	6	\$750.00
Print & Mail Check and Notification Language	\$0.75	200	\$150.00
Postage	\$0.73	200	\$146.00
Process Returned Checks (assuming 5%)	\$0.25	10	\$2.50
Skip Trace Search Undeliverable Checks	\$0.35	10	\$3.50
Remail Checks (includes postage)	\$1.48	10	\$14.80
Beneficiary Processing and Reissue	\$10.00	TBD	TBD
Distribution Manager	\$125.00	2	\$250.00
Total:			\$2,551.80

Case Completion

- Final audit and review
- Send final declaration and reporting to counsel

Category	Unit Value	# of Units	Total
Program Manager-Final Reporting/Evidentiary Package	\$175.00	8	WAIVED
Clerical-Clean Up Any Misc.	\$50.00	1	\$50.00
US Treasury Transfer/Escheatment	\$750.00	1	\$750.00
Total:			\$800.00

Total Estimated Cost of Administration:

\$10,127.00



Simpluris Security Summary – White Paper

Simpluris is committed to the security and overall protection of not only our data and information but our client's data and information, as well. As a demonstration of our commitment, we maintain SOC 2 Certification which requires strict adherence to policies and procedures surrounding information security, including processing and storage of confidential customer data. Simpluris supports a comprehensive, written Information Security Program that complies with all applicable laws and regulations (e.g. HIPAA, Gramm-Leach-Bliley Act, MA 201 CMR 17.00) and is designed to (a) ensure the security, privacy and confidentiality of Client and Class Member Information, (b) protect against any reasonably anticipated threats or hazards to the security or integrity of Client or Class Member Information, and (c) protect against unauthorized access to, use, deletion, or modification of Class Member Information. Simpluris has designated specific employees to be responsible for the administration of its Information Security Program. Also, Simpluris regularly and routinely monitors, tests, and updates our Information Security Program.

Simpluris uses Client and Class Member Information only for the purposes for which its' clients provide it, as described in any Agreements or Court Orders governing the provision of Simpluris' services in any particular case. Simpluris maintains a process for identifying, assessing, and mitigating the risks to Class Member Information in each relevant area of Simpluris' operations. At Simpluris, we continuously evaluate the effectiveness of the safeguards for controlling these risks to data and bank accounts. Simpluris restricts access to Class Member Information only to those employees, agents, or subcontractors who need to know the information to perform their jobs. Simpluris performs background checks of all its employees that will have access to Sensitive Personal Information, including a review of their references, employment eligibility, education, and criminal history to ensure they do not pose a risk to the security of Client or Class Member Information.

Simpluris adheres to the following industry best practices to safeguard its systems which process, store or transmit Client and Class Member Information:

- Identity and Access Management;
- Complex passwords are routinely and regularly changed;
- Role-based access control systems to limit individual employee access to network applications and systems based on their particular job role and function;
- Data Loss Prevention and Intrusion Prevention System software at multiple layers to prevent from internal and external threats of data leaks, malicious activity, and policy violations
- Encryption of Class Member Information if transmitted over public or wireless networks (e.g., via email, FTP, the Internet, etc.);
- Implementation of a Secure File Transfer system (using SSL encryption) for transmitting documents back and forth to clients;
- Encryption of servers, portable media, laptops, desktops, smartphones, mobile devices, and new technologies that store Class Member Information;
- Complex password authentication for remote access to Company's networks;
- Upon hire and annually after that, training of all employees with access to Class Member Information, (including any agents, and subcontractors with access to Class Member Information) about their obligations to implement the Information Security Program;
- Strict disciplinary measures for employees who violate the Information Security Program;
- Preventing terminated employees from accessing Class Member Information;
- Appropriately configured and updated firewall, antivirus, and spyware software;
- Prompt application of vendor-recommended security patches and updates to systems and other applications to avoid any adverse impact on Class Member Information;
- Separation of Duties;
- Infrastructure and Physical Security;
- Business Continuity Planning;
- Disaster Recovery Planning