2	JINA L. CHOI (NY Bar No. 2699718) JOHN S. YUN (CA Bar No. 112260) yunj@sec.gov SHEILA E. O'CALLAGHAN (CA Bar No. 131032)	
3	ocallaghans@sec.gov	
4	Attorneys for Plaintiff SECURITIES AND EXCHANGE	
5	COMMISSION 44 Montgomery Street, Suite 2600	
6	San Francisco, California 94104 Telephone: (415) 705-2468	
7	Telecopy: (415) 705-2501  UNITED STATES DISTI	RICT COURT
	NORTHERN DISTRICT O	
9	SAN FRANCISCO E	
10	BAN TRANÇIBCO L	71 101011
11		Miscellaneous Action No.
12	SECURITIES AND EXCHANGE COMMISSION,	CV 04-0145-MISC. MHP
13	Plaintiff,	PLAINTIFF'S AND DEFENDANTS' STIPULATION AND <del>PROPOSED</del> ORDER
14	v.	REGARDING PAYMENT OF INCOME TAXES AND OF TAX PREPARATION
15	TERENCE M. COXON and WORLD MONEY MANAGERS,	FEES; SUPPORTING DECLARATIONS OF JUDE P. DAMASCO
16	Defendants.	
17		Date: N/A Time: N/A
18		Judge: Courtroom: TBD
19		Courtioonii. 155
20		
21	STIPULATION FOR	ODDED
22		
23	Plaintiff Securities and Exchange Commission	
24	Terrence M. Coxon ("Coxon") and World Money Ma	
25	through their attorneys, hereby enter into the following	ng Stipulation Regarding Payment of
26	Income Taxes and of Tax Preparation Fees (the "Stip	ulation").
27	On November 30, 2015, this Court entered a s	Stipulated Order authorizing the
	appointment of the accounting firm of Damasco & A	ssociates, LLP to serve as the tax
28	administrator for the amounts in the court registry for	this proceeding. Docket No. 79. The

1	Court authorized Damasco & Associates, LLP to charge up to \$1800.00 per tax year to file the
2	necessary forms and make the necessary payments under the Internal Revenue Code.
3	Damasco & Associates might also bill for time involving negotiations with the Internal

Revenue Service to reduce or abate any interest or penalty charges. Id.

As shown in the first Declaration of Jude P. Damasco, which is attached as Exhibit 1, the Damasco & Associates firm has determined that taxes are owed in the following amounts for the specified tax years:

~	ė.		
	Tax Year	Ta	x Due
9	2005	\$ 1	,852.00
10	2006	\$ 7	,145.00
TO	2007	\$ 2	,350.00
11	2008	\$	157.00
	2009	\$	5.00
12	2010	\$	6.00
1 2	2011	\$	3.00
13	2012	\$	4.00
14	2013	\$	3.00
	2014	\$	2.00
15	2015	\$	2.00
1 6	2016	\$	22.00
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Total Taxes: \$11,551.00

Plaintiff and Defendants agree that these tax amounts appear to be appropriate and should be paid, per the instructions of the Damasco & Associates firm, from the funds in the court's registry for this case.

As shown in the second Declaration of Jude P. Damasco, which is attached as Exhibit 2, the Damasco & Associates firm has incurred the following fees for preparing the tax returns for each of the specified tax years:

25	Tax Year	<b>Preparation Fees</b>
	2005	\$1,800.00
26	2006	\$1,800.00
	2007	\$1,800.00
27	2008	\$ 850.00
	2009	\$ 850.00
28		

1		\$ 850.00	
0		\$ 850.00 \$ 850.00	
2		\$ 850.00	
3	2014	\$ 850.00	
		\$ 850.00	
4		\$ 850.00	
5		\$13,050.00	
6	Additionally, Damasco	& Associat	es has incurred \$16.80 in costs for a total of \$13,066.80 in
7	total fees and costs for	preparing th	e necessary tax returns. Plaintiff and Defendants agree that
8	these tax administrator	fees appear	appropriate and should also be paid, per the instructions of
9	the Damasco & Associ	ates firm, fro	om the funds in the court's registry for this case.
10	At the current to	ime, there is	\$29,977.28 remaining in the court's registry for this case.
11	After payment of the \$	11,551.00 in	income taxes and \$13,066.80 in tax preparation fees and
12	costs (for a total of \$24	,617.80) fro	m the court's registry, there will be a remaining balance of
13	\$5,359.48 in the court'	s registry. T	This amount may be used to pay potential late fees on the
14	taxes owed and to pay	additional ad	lministrative fees, with any remaining balance paid to the
15	Permanent Portfolio Fu	ınd.	
16	DATED: May 17, 201	7	U. S. SECURITIES AND EXCHANGE
17	DATED. Way 17, 201	<b>'</b>	COMMISSION
18			John S. Yun John S. Yun
19			
20			Attorney for the United States Securities & Exchange Commission
			JOHN W. COTTON
21			GARTENBERG, GELFAND & HAYTON LLP
22			John W. Cotton (with authorization)
23			John W. Cotton
24			Attorneys for Terence M. Coxon and World Money Managers
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26	н		
26			

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## ORDER REGARDING PAYING TAXES AND ADMINISTRATOR FEES

Good cause appearing from parties' Regarding Payment of Income Taxes and of Tax Preparation Fees (the "Stipulation") and from the Declarations of Jude P. Damasco that are attached as Exhibits 1 and 2, the Court finds that it is appropriate for the Clerk of the Court to release funds from the court's registry for this matter to pay income taxes and tax administrator fees. It is therefore ordered:

- 1. To pay income taxes, the Clerk of the Court shall promptly issue a check in the amount of \$11,551.00 made payable to "Damasco & Associates, Trust Account" from the funds in the court's registry for this case and shall mail the check to Damasco & Associates c/o Miller Kaplan Arase, LLP, 314 South River Street, Suite 201, Hailey, ID 83333. The check shall also contain the notation "xx-xxx0621" as being the Employer Identification Number for SEC v. Coxon Disgorgement Fund.
- 2. To pay tax administrator fees and costs, the Clerk of the Court shall promptly issue a separate check in the amount of \$13,066.80 made payable to "Damasco & Associates LLP" from the funds in the court's registry for this case and shall mail the check to Damasco & Associates LLP, 314 South River Street, Suite 201, Hailey, ID 83333.

SO ORDERED.

DATED: May 23, 2017



# EXHIBIT 1

I, Jude P. Damasco, am over eighteen years of age and state the following facts which I know of my own personal knowledge.

- 1. I am the managing partner of Damasco & Associates LLP ("Damasco") which is now part of Miller Kaplan Arase, LLP, located at 700 Monte Vista Lane, Half Moon Bay, CA 94019. I am a certified public accountant.
- 2. Damasco was appointed as Tax Administrator for the SEC v Coxon Disgorgement Fund ("Fund") in Plaintiff's and Defendants' Stipulation and Order Regarding Disbursement of Funds and Appointment of Tax Administrator, Case No. 3:04-mc-00145-MHP, filed on November 30, 2015.
- 3. As Tax Administrator, Damasco has determined that the Fund owes a total of \$11,551.00 in federal tax liabilities for the years 2005 through 2016. These tax payments are due as soon as possible. The breakdown is as follows:

	Tax Due	Due Date
For the Tax Year 2005	\$ 1,852.00	ASAP
For the Tax Year 2006	\$ 7,145.00	ASAP
For the Tax Year 2007	\$ 2,350.00	ASAP
For the Tax Year 2008	\$ 157.00	ASAP
For the Tax Year 2009	\$ 5.00	ASAP
For the Tax Year 2010	\$ 6.00	ASAP
For the Tax Year 2011	\$ 3.00	ASAP
For the Tax Year 2012	\$ 4.00	ASAP
For the Tax Year 2013	\$ 3.00	ASAP
For the Tax Year 2014	\$ 2.00	ASAP

For the Tax Year 2015 \$ 2.00 ASAP

For the Tax Year 2016 \$ 22.00 ASAP

Total Tax Due: \$11,551.00

- 4. A check in the amount of \$11,551.00 should be made payable to "Damasco & Associates, Trust Account" and sent to Damasco c/o Miller Kaplan Arase, LLP, 314 South River Street, Suite 201, Hailey, ID 83333. The check should be received in our office as soon as possible.
- 5. The check will be deposited into a trust account from which the tax payments will be made. Therefore, the Employer Identification Number that should be written on the check is XX-XXX0621 because it is for tax payment on behalf of the Fund.
- 6. No allowance has been made in the amount requested above for interest and penalties which I anticipate will be assessed as a result of the late filing and late payment of tax for the years 2005 through 2016. When that happens, we will consider an abatement request.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on May 11, 2017 in Half Moon Bay, California.

Jde P. Damasco

# EXHIBIT 2

## DECLARATION OF JUDE P. DAMASCO IN SUPPORT OF FEE REQUEST

I, Jude P. Damasco, am over eighteen years of age and state the following facts which I know of my own personal knowledge.

- 1. I am the managing partner of Damasco & Associates LLP ("Damasco") which is now part of Miller Kaplan Arase, LLP, located at 700 Monte Vista Lane, Half Moon Bay, CA 94019. I am a certified public accountant.
- 2. Damasco was appointed as Tax Administrator for the SEC v Coxon Disgorgement Fund ("Fund") in Plaintiff's and Defendants' Stipulation and Order Regarding Disbursement of Funds and Appointment of Tax Administrator, Case No. 3:04-mc-00145-MHP, filed on November 30, 2015.
- 3. Pursuant to our engagement agreement with the SEC, attached is a true and correct copy of our invoice for tax compliance services performed on behalf of the Fund.
- 4. Please remit payment in the amount of \$13,066.80 via wire transfer or check according to the instructions listed on the attached invoice.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on May 11, 2017 in Half Moon Bay, California.

Jude P. Damasco

# DAMASCO ASSOCIATES LLP

ACCOUNTANCY AND CONSULTING

Now A Part of Miller Kaplan Arase LLP 314 S. River Street, Suite 201 Hailey, ID 83333 650-726-4100

#### John S. Yun

SEC v Coxon Disgorgement Fund U.S. Securities & Exchange Commission San Francisco Regional Office 44 Montgomery Street, Suite 2600 San Francisco, CA 94104

Invoice:

83592

ID:

3080440

Date: Due Date: 05/11/2017

06/10/2017

SEC E.A. reference: SF-00730-C

SEC/DC Case Number: 3:04-mc-00145-MHP

Responsible Party for Payment: Distribution Fund

Tax Administrator Appointment Date: 11/30/2015

For professional service	s rendered as follows:		SEC DISCOUNT		
DATE	SERVICE	STAFF	RATE	HOURS	AMOUNT
Preparation and filin	g of the 2005 Qualified Settlement Fund Inco	me Tax Return.			1,800.00
Preparation and filin	g of the 2006 Qualified Settlement Fund Inco	me Tax Return.			1,800.00
reparation and filin	g of the 2007 Qualified Settlement Fund Inco	me Tax Return.			1,800.00
reparation and filin	g of the 2008 Qualified Settlement Fund Inco	me Tax Return.			850.00
reparation and filin	g of the 2009 Qualified Settlement Fund Inco	me Tax Return.			850.00
reparation and filin	g of the 2010 Qualified Settlement Fund Inco	me Tax Return.			850.00
reparation and filin	g of the 2011 Qualified Settlement Fund Inco	me Tax Return.			850.00
reparation and filin	g of the 2012 Qualified Settlement Fund Inco	me Tax Return.			850.00
2	g of the 2013 Qualified Settlement Fund Inco				850.00
-	g of the 2014 Qualified Settlement Fund Inco				850.00
	g of the 2015 Qualified Settlement Fund Inco				850.00
	g of the 2016 Qualified Settlement Fund Inco				850.00
		Total for S	Services		13,050.00
Charges					
Consulting Services	- General Consulting				
05/05/2017	Delivery Charge		0.000		1.40
	CA 2005 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1.40
	CA 2006 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1 40
	CA 2007 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1.40
	CA 2008 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1 40
	CA 2009 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1 40
	CA 2010 Tax Return delivery charge.				
05/05/2017	Delivery Charge		0.000		1.40

<u>Total</u>

\$13,066.80

	CA 2011 Tax Return delivery charge.	······································	
05/05/2017	Delivery Charge	0.000	1.40
	CA 2012 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2013 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2014 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2015 Tax Return delivery charge.	•	
05/05/2017	Delivery Charge	0.000	1.40
	CA 2016 Tax Return delivery charge.		
		Total for Charges	16.80
		Invoice Total	\$13,066.80

PLEASE REMIT PAYMENT VIA WIRE TRANSFER OR CHECK ACCORDING TO THE INSTRUCTIONS BELOW:
WIRE FUNDS TO:

UNION BANK
350 CALIFORNIA STREET, SUITE 1800
SAN FRANCISCO, CA 94104
ABA NUMBER: PROVIDED BY EMAIL
BENEFICIARY ACCOUNT NUMBER: PROVIDED BY EMAIL
BENEFICIARY ACCOUNT NAME: DAMASCO & ASSOCIATES LLP OR

MAKE CHECK PAYABLE TO:

DAMASCO & ASSOCIATES LLP 314 SOUTH RIVER STREET, SUITE 201 HAILEY, ID 83333

# DAMASCO & ASSOCIATES LLP

ACCOUNTANCY AND CONSULTING

#### Now A Part of Miller Kaplan Arase LLP

314 S. River Street, Suite 201 Hailey, ID 83333 650-726-4100

John S. Yun

SEC v Coxon Disgorgement Fund U.S. Securities & Exchange Commission San Francisco Regional Office 44 Montgomery Street, Suite 2600 San Francisco, CA 94104

Invoice:

83592

ID:

3080440

Date:

05/11/2017

Due Date:

06/10/2017

SEC E.A. reference: SF-00730-C

SEC/DC Case Number: 3:04-mc-00145-MHP

Responsible Party for Payment: Distribution Fund

Tax Administrator Appointment Date: 11/30/2015

For professional services rendered as follows:

SEC DISCOUNT

DATE SERVICE STAFF HOURS AMOUNT

Preparation and filing of the 2005 Qualified Settlement Fund Income Tax Return.	1,800.00
Preparation and filing of the 2006 Qualified Settlement Fund Income Tax Return.	1,800.00
Preparation and filing of the 2007 Qualified Settlement Fund Income Tax Return.	1,800.00
Preparation and filing of the 2008 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2009 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2010 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2011 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2012 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2013 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2014 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2015 Qualified Settlement Fund Income Tax Return.	850.00
Preparation and filing of the 2016 Qualified Settlement Fund Income Tax Return.	850.00
Total for Services	13,050.00

### Charges

### **Consulting Services - General Consulting**

05/05/2017	Delivery Charge	0.000	1.40
	CA 2005 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2006 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2007 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2008 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2009 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40
	CA 2010 Tax Return delivery charge.		
05/05/2017	Delivery Charge	0.000	1.40

*******	**************************************	CA 2011 Tax Return delivery charge.		
	05/05/2017	Delivery Charge	0.000	1.40
		CA 2012 Tax Return delivery charge.		
	05/05/2017	Delivery Charge	0.000	1.40
		CA 2013 Tax Return delivery charge.		
	05/05/2017	Delivery Charge	0.000	1.40
		CA 2014 Tax Return delivery charge.		
	05/05/2017	Delivery Charge	0.000	1.40
		CA 2015 Tax Return delivery charge.		
	05/05/2017	Delivery Charge	0.000	1.40
		CA 2016 Tax Return delivery charge.		
			Total for Charges	16.80
			Invoice Total	\$13,066.80

PLEASE REMIT PAYMENT VIA WIRE TRANSFER OR CHECK ACCORDING TO THE INSTRUCTIONS BELOW: WIRE FUNDS TO:

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350 CALIFORNIA STREET, SUITE 1800
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DAMASCO & ASSOCIATES LLP 314 SOUTH RIVER STREET, SUITE 201 HAILEY, ID 83333