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2 U.S. Securities and Exchange Commission  
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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 SECURITIES AND EXCHANGE  
11 COMMISSION,

12 Plaintiff,

13 v.

14 DAVID B. KAPLAN, ESQ., ET AL,

15 Defendant, and

16 LISA M. KAPLAN, et al.

17 Relief Defendants.

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

**Honorable Miranda Du**

**STIPULATION AND ORDER  
REGARDING 1314 CAVE ROCK  
DRIVE, UNIT B**

18 Plaintiff, the United States Securities and Exchange Commission (“SEC” or  
19 “Commission”), by its undersigned counsel, Christy J. White, defendant, David B. Kaplan, Esq.,  
20 relief defendant, Lisa M. Kaplan, and certain injured investors, Dean Properties, LLC, and James  
21 and Marla Dean, by their undersigned counsel, Matthew Pruitt, hereby stipulate as follows:

22 WHEREAS, on May 19, 2016, the Commission brought suit against David B. Kaplan,  
23 Esq. (“David Kaplan”), Synchronized Organizational Solutions, LLC, Synchronized  
24 Organizational Solutions International, Ltd. (“SOSI”), and Manna International Enterprises, Inc.,  
25 as Defendants, and Lisa M. Kaplan (“Lisa Kaplan”), The Water-Walking Foundations, Inc., and  
26 Manna Investments, LLC, as Relief Defendants. (ECF No. 1).

27 WHEREAS, on May 20, 2016, this Court entered a Temporary Restraining Order and  
28 Asset Freeze (“2016 Asset Freeze”) against the Defendants, Relief Defendants, and their agents,  
servants, employees, attorneys-in-fact, and those persons in active concert or participation with

1 them. (ECF No. 13). The Asset Freeze ordered them to retain funds and other assets held by the  
2 Defendants and Relief Defendants, directly or indirectly, and to prevent the “withdrawal, sale,  
3 payment..., transfer, dissipation, assignment, pledge, alienation, encumbrance, disposal, or  
4 diminution of value” of such assets.

5  
6 WHEREAS, on January 8, 2018, a final judgment was entered in favor of the  
7 Commission and against the Defendants. (ECF No. 105). The Judgment required them to pay  
8 disgorgement in the amount of \$7,139,884.87, together with prejudgment interest thereon in the  
9 amount of \$680,157.61, for a total of \$7,820,042.48. David Kaplan was also ordered to pay a  
10 civil penalty of \$300,000.

11  
12 WHEREAS, on January 8, 2018, a final judgment was entered in favor of the  
13 Commission and against Relief Defendant, Lisa Kaplan, for disgorgement in the amount of  
14 \$340,764.75, together with prejudgment interest thereon in the amount of \$26,762.65, for a total  
15 of \$367,527.40.<sup>1</sup> (ECF No. 106).

16  
17 WHEREAS, on January 14, 2016, Dean Properties, LLC, and James and Marla Dean  
18 (collectively, “the Deans”) filed a complaint against David Kaplan and co-defendant, SOSI, in  
19 the District Court for the Eastern District of Virginia. *See Dean Properties, LLC, et al, v.*  
20 *Synchronized Organizational Solutions International, Ltd., et al.*, 1:16-cv-00050 (E.D. Va.).

21  
22 WHEREAS, on June 21, 2016, David Kaplan and SOSI consented to judgment being  
23 entered against them in the amount of \$4.08 million.

24  
25 WHEREAS, on August 22, 2016, the Deans registered their judgment against David  
26 Kaplan and SOSI as a foreign judgment in the District Court of Clark County, Nevada.

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27 <sup>1</sup> Also, on January 8, 2018, judgments were entered against the two entity Relief Defendants, Manna Investments,  
28 LLC, and Water-Walking Foundation, Inc., for disgorgement and prejudgment interest in the total amounts of  
\$521,537.13, and \$644,376.08, respectively

1 WHEREAS, on February 8, 2018, the Deans filed a Writ of Execution against property  
2 owned by David Kaplan and SOSI in the Clark County District Court. Pursuant to the Writ, the  
3 Deans sought to execute on any and all personal and real property owned by David Kaplan and  
4 SOSI including, but not limited to, property located at 1314 Cave Rock Drive, Unit B, Zephyr  
5 Cove, Nevada ("Subject Property").  
6

7 WHEREAS, a Notice of Sheriff's Sale for the Subject Property was served by the  
8 Douglas County Sheriff on David Kaplan and SOSI on March 20, 2018. The sale is scheduled to  
9 take place on April 19, 2018.

10 WHEREAS, Lisa Kaplan listed the Subject Property for sale on or around March 8, 2018,  
11 and has a bona fide, pending offer for the purchase of the same. The list price is \$589,000, and  
12 Lisa Kaplan has agreed to provide copies of the closing documents to the parties to this  
13 Stipulation.  
14

15 IT IS HEREBY STIPULATED AND AGREED that:

- 16 1. The 2016 Asset Freeze is modified to permit Lisa Kaplan to sell the Subject  
17 Property as described above;
- 18 2. The Deans will cancel the April 19, 2018 Sheriff's Sale and release any liens  
19 purporting to encumber the Subject Property on or before the date of sale. To the extent such  
20 liens attach to the Subject Property, the same shall extend to the excess proceeds of the sale; and  
21
- 22 3. The excess proceeds from the sale of the Subject Property shall be paid to this  
23 Court's Registry for deposit into the Court Registry Investment System ("CRIS") pending a  
24 determination by this Court as to the priority and validity of any claims thereto.

25 Dated: April 2, 2018

Respectfully submitted,

26  
27  
28 /s/ Christy White  
Christy J. White (D.C. Bar No. 974102)

1 U.S. Securities and Exchange Commission  
2 100 F Street, NE, Mail Stop 5628  
3 Washington, DC 20549

4 Counsel for Plaintiff

5 Dated: April 2, 2018

6 Respectfully submitted,

7 

8 David B. Kaplan, Esq.  
9 *Pro Se*

10 Dated: April 2, 2018

11 Respectfully submitted,

12 

13 Lisa M. Kaplan  
14 *Pro Se*

15 Dated: April 2, 2018

16 Respectfully submitted,

17  
18 /s/ Matthew Pruitt

19 Matthew Pruitt  
20 Alverson, Taylor, Mortensen & Sanders  
21 6605 Grand Montecito Parkway, Ste. 200  
22 Las Vegas, NV 89149

23  
24  
25 Counsel for Dean Properties, LLC, James V. Dean,  
26 and Marla D. Dean

27 IT IS SO ORDERED.

28 

United States District Judge

Dated: April 2, 2018