

1 THANE F. KELTON, CPA  
2 DUFFY KRUSPODIN, LLP  
3 Certified Public Accountants  
4 4365 Executive Drive, Suite 1500  
5 San Diego, CA 92121  
6 Phone: (858) 642-5050  
7 Fax: (858) 642-5065  
8 E-Mail: thane@dkllpcpa.com

9 Tax Accountants for Receiver  
10 Thomas C. Hebrank

11 **UNITED STATES DISTRICT COURT**  
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 SECURITIES AND EXCHANGE  
14 COMMISSION,

15 Plaintiff,

16 vs.

17 PACIFIC WEST CAPITAL GROUP,  
18 INC.; ANDREW B CALHOUN IV;  
19 PWCG TRUST; BRENDA CHRISTINE  
20 BARRY; BAK WEST, INC.; ANDREW  
21 B CALHOUN JR.; ERIC  
22 CHRISTOPHER CANNON; CENTURY  
23 POINT, LLC; MICHAEL WAYNE  
24 DOTTA; and CALEB AUSTIN MOODY  
25 (dba SKY STONE),

26 Defendants,

Case No. 2:15-cv-02563 AB (ASx)

**SIXTH INTERIM APPLICATION  
FOR APPROVAL AND PAYMENT  
OF FEES TO DUFFY KRUSPODIN,  
LLP, AS TAX ACCOUNTANTS FOR  
RECEIVER**

Date: September 19, 2025

Time: 10:00 a.m.

Ctrm.: 7B

Judge: Hon. André Birotte Jr.

1 Duffy Kruspodin, LLP ("Duffy"), tax accountants for Thomas C. Hebrank  
2 ("Receiver"), the Court-appointed receiver for PWCG Trust, hereby submits this  
3 sixth interim application for approval and payment of professional fees for work in  
4 preparing the 2023 and 2024 federal and state tax returns for PWCG and related  
5 research. This Application covers the period from January 1, 2024 through  
6 April 21, 2025 ("Application Period").

7 Duffy incurred \$4,887.90 in fees for this Application Period and seeks interim  
8 approval and payment of these fees. Detailed descriptions of the services are  
9 contained in Exhibit A attached hereto. Exhibit B is a summary of Duffy staff total  
10 hours and corresponding rates. During the Application Period, Duffy spent 14.1  
11 hours on behalf of the Receiver at an overall blended billing rate of \$346.66  
12 per hour. Duffy has discounted all fees by ten percent (10%) from regular hourly  
13 billing rates.

## 14 I. FEE APPLICATION

15 Duffy's work during the Application Period focused on preparation of 2023  
16 and 2024 Income Tax Returns for PWCG Trust.

### 17 A. PWCG Trust 2023 and 2024 Income Tax Returns:

18 Time in this category was spent preparing the income tax returns as follows:

- 19 a) processing the initial receipt of the PWCG Trust books and  
20 records;
- 21 b) formatting and organizing the files with the current year data;
- 22 c) verifying cash receipts and disbursements for the year and  
23 scanning detail for reporting accuracy and consistency;
- 24 d) reviewing input sheets of information entered into Axxess Tax;
- 25 e) 1099-R reporting discrepancies and related communications;
- 26 e) partner level review of the above areas, as well as, overall review  
27 of tax return forms and input;
- 28

- f) partner level verification of reporting accuracy, formatting, and adherence to current federal and state tax laws;
- g) finalizing of tax return and accompanying letters and schedules;
- h) printing tax return copies for the receivership entity and for government filing; and
- i) electronic filing of the 2023 and 2024 return to Receiver for signature.

	Hours	Fees	Average Hourly Rate
TOTAL	14.1	\$4,887.90	\$346.66

## **II. THE REQUESTED FEES ARE REASONABLE AND SHOULD BE ALLOWED**

In considering interim requests for payment of fees in federal receivership matters, the following factors have been considered by other Courts: (1) the complexity of the tasks performed; (2) the fair value of the time, labor, and skill measured by conservative business standards; (3) the quality of work performed, including the results obtained and the benefit to the receivership estate; (4) the burden the receivership estate may safely be able to bear; and (5) the Securities and Exchange Commission's opposition or acquiescence. *See SEC v. Schooler*, S.D. Cal., Case No. 12-cv-02164-GPC-JMA (March 7, 2013), Dkt. 169.

### **A. Complexity of Tasks**

Duffy's preparation of PWCG Trust tax returns are considered complex in nature. The complexity lies in the structure of the trust and the determination of proper filing for the 2023 and 2024 tax year dependent on the highly unique circumstances in this court proceeding.

### **B. Fair Value of Time, Labor & Skill**

There are various levels of staff that worked on the engagement, but mostly highly experienced and skilled CPAs versed in tax research and trust filings. For

1 this fee application, the 2024 and 2025 rates were used for all staff levels. Thane F.  
2 Kelton, CPA, the partner on the engagement, was billed at an hourly rate of \$630,  
3 Livia Benjamin, CPA, the manager on the engagement, was billed at an hourly rate  
4 of \$400. The remaining administrative staff that worked on the engagement were  
5 billed at a rate of \$150 to \$165. These rates represent typical rates in California for  
6 CPAs of similar experience and expertise for the 2024 and 2025 year. All  
7 compensation based on billing rates was discounted by ten percent (10%). The  
8 blended hourly rate for all services provided by Duffy during the Application Period  
9 is \$346.66. A summary of Duffy staff that worked on the engagement is included as  
10 Exhibit B.

11 **C. Quality of Work Performed**

12 Duffy has provided the client with quality tax preparation and ancillary  
13 services, with a high level of professionalism and excellent customer service. Duffy  
14 worked diligently to ensure it was prompt in its completion of all of the returns for  
15 2023 and 2024 based on the Receivers requests.

16 **D. Commission's Opposition of Acquiescence**

17 Prior to filing, Duffy, through the Receiver's counsel, provided this fee  
18 application to counsel for the Commission in substantially final form. Counsel for  
19 the Commission advised that the Commission has no opposition to the fees  
20 requested.

21 Accordingly, the five considerations identified by the Court for considering  
22 interim fee applications all support interim approval and payment of the requested  
23 fees and costs.

24 **III. CONCLUSION**

25 Duffy has ensured that PWCG Trust has been able to fulfill their  
26 responsibilities to the federal and state governments with respect to their tax filings.  
27  
28

1 WHEREFORE, Duffy respectfully requests an order:

2 1. Approving payment of \$4,887.90 in fees incurred by Duffy during the  
3 Application Period, and authorizing payment of \$4,887.90 from receivership estate  
4 cash, as discussed above; and

5 2. Granting such other and further relief as is appropriate.

6 Dated: August 19, 2025

7 By:   
8 THANE F. KELTON, CPA  
9 DUFFY KRUSPODIN, LLP  
10 Certified Public Accountants  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# EXHIBIT A

# EXHIBIT A

PWCG Trust  
2024 and 2023 Return Preparation

Date	Staff ID	Memo	Hours	Original Amount	Discounted Amount
1/26/2024	LM2	Email regarding 1099 filing	0.3	\$ 120.00	\$ 108.00
3/1/2024	LM2	2023 info with Tom	0.3	120.00	108.00
4/12/2024	LM2	2023 extension	0.2	80.00	72.00
4/12/2024	MR1	efiled extension	0.1	16.50	14.85
4/12/2024	MR1	verify acceptance	0.1	16.50	14.85
5/11/2024	LM2	2023 return	2.6	1,040.00	936.00
9/26/2024	LM2	2023 final review	2.1	840.00	756.00
9/27/2024	VF1	Assemble return.	0.1	15.00	13.50
9/27/2024	VF1	Review assembly.	0.1	15.00	13.50
9/27/2024	TK1	Sign and final return	0.3	189.00	170.10
9/27/2024	VF1	Deliver return.	0.1	15.00	13.50
9/28/2024	VF1	Efile return.	0.1	15.00	13.50
9/30/2024	VF1	Verify acceptance.	0.1	15.00	13.50
2/27/2025	LM2	2024 information	0.2	80.00	72.00
3/3/2025	LM2	2024 information	0.3	120.00	108.00
3/4/2025	AP5	Save files into Document.	0.1	15.00	13.50
3/15/2025	LM2	2024 Return	0.2	80.00	72.00
4/5/2025	LM2	2024 return	2.3	920.00	828.00
4/15/2025	AP5	Confirm 2024 ext acceptance.	0.1	15.00	13.50
4/15/2025	AP5	Efile 2024 extension.	0.1	15.00	13.50
4/15/2025	AP5	Prep 2024 pdf tax return for delivery.	0.2	30.00	27.00
4/15/2025	LM2	2024 final review, call with Tom regarding NOL utilization and 2025 planning for taxes due	3.6	1,440.00	1,296.00
4/15/2025	TK1	Sign and final 2024	0.3	189.00	170.10
4/15/2025	AP5	Efile 2024 tax return.	0.1	15.00	13.50
4/21/2025	AP5	Confirm 2024 efile acceptance.	0.1	15.00	13.50
Total before discount			14.1	5,431.00	

Total discounted invoice amount

**\$ 4,887.90**

Summary by Employee:

Allen (AP5)	0.7	105.0	\$ 94.50
Benjamin, CPA (LM2)	12.1	4,840.0	\$ 4,356.00
Ramirez (MR1)	0.2	33.0	\$ 29.70
Kelton, CPA (TK1)	0.6	378.0	\$ 340.20
Frandsen (VF1)	0.5	75.0	\$ 67.50
	14.1	\$ 5,431.00	\$ 4,887.90

# EXHIBIT B

# EXHIBIT B

<b>Rate Summary</b>	Hours	Rate/hr	Original Amount	Discounted rate (10%)	Discounted Amount
Amanda Allen	0.7	150.00	105.00	135.00	94.50
Livia Benjamin, CPA	12.1	400.00	4,840.00	360.00	4,356.00
Melissa Ramirez	0.2	165.00	33.00	148.50	29.70
Thane F. Kelton, CPA	0.6	630.00	378.00	567.00	340.20
Victoria Frandsen	0.5	150.00	75.00	135.00	67.50
	<u>14.1</u>		<u>\$ 5,431.00</u>		<u>\$ 4,887.90</u>
Average blended hourly rate			\$ 385.18		
Average blended hourly rate with 10% discount					\$ 346.66