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FILED

SEP 27 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 SECURITIES AND EXCHANGE
COMMISSION,)

Case No. CV12-03237-EJD

12 Plaintiff,)

13 vs.)

14 SMALL BUSINESS CAPITAL CORP.; MARK)
FEATHERS; INVESTORS PRIME FUND, LLC;)
15 and SBC PORTFOLIO FUND, LLC,)

**DECLARATIONS OF MARK
FEATHERS ACCOMPANYING
RESPONSE RECEIVER'S AND
RECEIVER'S COUNSELS REQUEST
FOR APPROVAL OF THIRD PAYMENT**

16 Defendants.)
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Judge: Hon. Edward J. Davila

27 1. I Mark Feathers, pursuant to U.S.C. 1746, declares as follows:
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1. I swear on these matters.

2. I am a named defendant in the lawsuit SEC v. Small Business Capital Corp., et al.
3. Attached to the opposition reply as part of Exhibit 1 are items produced by the SEC under a Freedom of Information Act request which shows a substantial and deep monetary relationship between Thomas Seaman, Receiver, and the United States Securities and Exchange Commission which precludes the possibility of the Receiver having ever conducted his operations without bias towards SEC's cause.
4. Attached to the opposition reply as part of Exhibit 1 is a copy of the home page of the Receiver, in which he himself shows that his work is substantially all SEC actions, or that of another federal agency.
5. Attached to the opposition reply as part of Exhibit 1 is a copy of a letter written to John Bulgozdy, Esq., of SEC, by the California State Bar, in which it appears that Bulgozdy continues to fraudulently misrepresent the licensing credentials of the Receiver which SEC asked the Court to employ, more specifically, there is no such recognized designation "licensed CFA" known to exist in the United States, and in which Bulgozdy apparently used the word "licensed" in combination with his excuse that the designation he used of "CPA" was an inadvertent typo for "CFA". However, such CFA vs. CPA "typo" explanation, as far-fetched as it was, still does not explain why Bulgozdy would also use the word "licensed CFA" to subsequently describe Seaman, when Bulgozdy, who is an officer of the Court and a senior trial counsel with a federal agency that scrutinizes licensing representations very closely and carefully, is fully aware that a CFA designation is not a licensing designation at all, and that there is no licensing authority in the United States for CFAs, and that, therefore, this was a continued fraudulent representation on his part.

Executed this 27th day of September 2013 at Los Altos, California



Mark Feathers, *Pro Se* Defendant