

1 DECLARATION OF JEFF ALABASO

2 I, Jeff Alabaso, hereby declare as follows:

3 1. I work in the Victim/Witness Assistance Program of the
4 United States Attorney's Office, Central District of California.
5 As part of my official responsibilities, I have performed work
6 relating to victim assistance on the criminal case United States
7 v. Milton Retana, CR 08-1433 RGK ("criminal case"), and in the
8 related forfeiture case, United States v. \$6,874,561.25 in Funds
9 from Six Wells Fargo Bank Accounts, et al., CV 09-2398 RGK (RZx)
10 ("forfeiture case"). I make this declaration upon my own
11 personal knowledge, unless otherwise indicated, and if called to
12 testify I could and would competently testify thereto.

13 2. One of the responsibilities of the Victim/Witness
14 Assistance Program is to execute the government's statutory
15 obligations to victims pursuant to the Crime Victims Rights Act.
16 In carrying out those responsibilities, my unit possesses a
17 database containing the names and addresses of the persons we
18 believe to be the victims of the fraud scheme described in the
19 indictment in the criminal case. It is my understanding that the
20 victim data was compiled from information held by the law
21 enforcement agencies who investigated the Best Diamond Funding
22 ("BDF") fraud scheme. There are 2,504 individual addresses (the
23 "BDF victim list") listed in the database. (A small number of
24 the addresses are associated with a title for the investor,
25 rather than a proper name.)

26 3. On or about December 22, 2009, I caused the letters
27 attached as Exhibits 1 and 2 to be placed into envelopes and
28 mailed to the persons and addresses listed on the BDF Victim

1 list. I have reviewed the document described as "Seal Exhibit
2 A," which I understand will be filed under seal at the same time
3 this declaration is filed, and I confirm that Seal Exhibit A
4 constitutes the BDF Victim List referred to in this declaration.

5 4. In the letter attached as Exhibit 1, the USAO stated
6 that the recipients could receive a full copy of the documents
7 the government filed in the forfeiture case requesting the
8 appointment of a special master ("Special Master filings"), by
9 calling 213-894-0930 and leaving their name, address, and phone
10 number. Beginning December 23 and continuing to today (not
11 including federal holidays), I have frequently checked whether
12 messages were left on the voice mail associated with that number
13 requesting copies of the Special Master filings. As of the date
14 I signed this declaration, there have been no requests for a copy
15 of the Special Master filings to be mailed.

16 5. I have been informed by others in the Victim Witness
17 unit that we received four letters regarding the Special Master
18 motion. Three of these letters identified the sender of the
19 letter by name. Two of these letters (from O.L., and G.R.) are
20 attached as Exhibits 3 and 4. I have learned that the third
21 letter (from A.C.C.) could not be located at the time I signed
22 this declaration, but I have been informed by Georgia Hanif of my
23 unit that she showed A.C.C.'s letter to a Spanish-speaking
24 employee at the USAO, and he prepared a rough translation, which
25 is attached as Exhibit 5. In all the above exhibits, personal
26 information has been redacted. The fourth letter was anonymous
27 and unsigned, and is attached as Exhibit 6 (a fax number on the
28 header has been redacted).

6. In the time since I caused the initial letters to be mailed, I have received several of the letters "returned to sender" by the post office. If the post office indicated on the returned mail that there was a new address for the recipient, I promptly caused Exhibits 1 and 2 to be sent to the address identified by the post office.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of January, 2010.

Jeff Alabaso
JEFF ALABASO



U. S. Department of Justice

*United States Attorney
Central District of California*

December 18, 2009

This notice relates to a motion that the government is filing with the court that relates to assets the government seized from Best Diamond Funding ("BDF") and Milton Retana. It also provides instructions on how you can obtain a copy of the government's motion on the internet or by mail.

The government seized about \$12 million from BDF and Milton Retana. The government brought a lawsuit called a "civil forfeiture action" to take away the ownership rights of Retana, his wife, and his companies in those funds. The short title of the lawsuit is United States v. \$6,874,561.25 in Funds from Six Wells Fargo Bank Accounts, et al., and the case number is CV 09-2398 RGK (RZx). Retana has agreed to give up ownership of the funds.

The government currently believes the investors suffered about \$30 million in out-of-pocket losses from the scheme. Therefore, the government currently believes that there is only enough seized money to cover about one-third of the total losses to victims. The work to be done in this case is (1) calculate how much money each investor actually lost from his or her investment, (2) based on that number, calculate how much of the seized assets should be distributed to the investor based on a pro-rata share of the seized assets, and (3) hear from any investors who object to the calculation or to the distribution plan.

The current motion. The government has filed a motion asking the Court to appoint a neutral third party (a "Special Master") to perform the calculations described above, using (1) the questionnaires investors have already sent to the Postal Inspection Service, (2) BDF's internal investor records, and other documents. When the calculations are finished, the Special Master will propose a recommended loss amount for each investor victim. The government will send each investor the Special Master's calculations, and will estimate the amount of repayment back to each investor from the seized funds based on the Special Master's calculations. The investor then can either accept the Special Master's calculations and a pro-rata distribution from the seized funds, or come to court to contest the matter. The Special Master's fees and costs would be paid from the seized funds. The government will do all it can to minimize those expenses.

Reasons for appointing a Special Master: More than 2,300 people invested in BDF. If each individual investor came to court to argue their case, resolving this case will take a very long time, and will delay the distribution of funds for everyone. The government believes that more investors will be satisfied with the accuracy and fairness of the process if the loss calculations are performed by a neutral third party, such as a Special Master appointed by the court, rather than by the government. If more people are satisfied that the calculations are fair, then fewer people will come to court to challenge the calculations, and the seized assets can be distributed more quickly. The government believes that the benefit to the entire group of investors from the Special Master, including reducing the number of investors who come to court to fight the proposed calculations, outweighs the costs of having a Special Master. The government has proposed two candidates for the court to consider, both of whom have experience analyzing investors' losses in cases like this: Edythe Bronston (who has experience with BDF in connection with a separate civil case brought by some investors) and Robb Evans.

The government's motion to the Court, asking for appointment of a Special Master, is scheduled to be heard on **January 25, 2010**. If anyone is opposed to having a Special Master appointed, and wants to oppose the government's motion, then you must file a written opposition with the Court by January 11, 2010. **(That is only the deadline to oppose having a Special Master appointed, not the deadline to submit a claim for recovery from the seized funds, or to oppose any calculations that may later be made regarding each victim's recovery. If you do not oppose the appointment of a Special Master, you do not need to file anything.)** If you wish to obtain a copy of the government's motion and the proposed order, you may view a copy on the internet at http://www.justice.gov/usao/cac/HowCanWeHelp/vw/case_updates.html#best. If you prefer to receive a paper copy by mail, we will mail it to you if you call 213-894-0930 and leave your name, address, and phone number.

We know that investors have suffered tremendously from their losses in the BDF scheme. This office sincerely believes that using a Special Master is the quickest way to achieve a fair result: distribution of the seized funds to investor-victims who have verified and calculable out-of-pocket losses.



U. S. Department of Justice

United States Attorney
Central District of California

18 de diciembre de 2009

Esta notificación se relaciona con una petición que el gobierno está presentando ante el tribunal respecto de los fondos que el gobierno confiscó a Best Diamond Funding ("BDF") y Milton Retana También provee instrucciones sobre cómo obtener una copia de la petición del gobierno en Internet o por correo.

El gobierno confiscó aproximadamente \$12 millones a BDF y Milton Retana. El gobierno entabló una demanda llamada "acción civil de confiscación de bienes" para quitarles los derechos de titularidad sobre dichos fondos a Retana, su esposa, y sus compañías. La carátula abreviada de la demanda es "United States v. \$6,874,561.25 in Funds from Six Wells Fargo Bank Accounts, et al." y el número del caso es CV 09-2398 RGK (RZx). Retana ha aceptado renunciar a la titularidad de los fondos.

El gobierno actualmente cree que los inversores sufrieron pérdidas personales de aproximadamente \$30 millones dentro del plan. Por lo tanto, el gobierno ahora cree que sólo hay suficientes fondos confiscados para cubrir alrededor de un tercio de las pérdidas totales de las víctimas. Lo que se debe hacer en este caso es (1) calcular cuánto dinero perdió realmente cada inversor de su inversión, (2) basándose en dicha cifra, calcular qué proporción de los fondos confiscados se le deben distribuir a cada inversor según una proporción prorrateada de los fondos confiscados, y (3) recibir objeciones de cualquier inversor al cálculo o plan de distribución.

La petición actual. El gobierno ha presentado una petición que solicita al Tribunal que nombre a un tercero neutral (un "Funcionario Especial") para realizar los cálculos mencionados anteriormente, usando (1) los cuestionarios que los inversores ya han enviado al Servicio de Inspección Postal, (2) los registros internos de inversores de BDF, y otros documentos. Una vez terminados los cálculos, el Funcionario Especial propondrá un monto recomendado de la pérdida para cada inversor víctima. El gobierno le enviará los cálculos del Funcionario Especial a cada inversor, y calculará el monto de reintegro que le corresponde a cada inversor de los fondos confiscados según los cálculos del Funcionario Especial. El inversor puede aceptar los cálculos del Funcionario Especial y una distribución prorrateada de los fondos confiscados, o cuestionar el asunto ante un tribunal. Los honorarios y gastos del Funcionario Especial serán pagados con los fondos confiscados. El gobierno hará todo lo posible por minimizar dichos desembolsos.

Razones para nombrar a un Funcionario Especial: Más de 2,300 personas invirtieron en BDF. Si cada inversor individual se presenta ante el tribunal para exponer su caso, la resolución de este caso tardará mucho tiempo y retrasará la distribución de los fondos para todos. El gobierno cree que más inversores estarán satisfechos con la exactitud e imparcialidad del proceso si los cálculos de las pérdidas son realizados por un tercero neutral, como un Funcionario Especial nombrado por el tribunal, en vez de por el gobierno. Si más personas consideran que los cálculos son justos, menos personas se presentarán ante el tribunal para cuestionar los cálculos, y los fondos confiscados se podrán distribuir más rápidamente. El gobierno cree que el beneficio que representa el Funcionario Especial para todo el grupo de inversores, que incluye reducir el número de inversores que se presentan ante el tribunal para oponerse a los cálculos propuestos, supera el costo de tenerlo. El gobierno ha propuesto dos candidatos para que el tribunal considere, ambos tienen experiencia en analizar las pérdidas de inversores en casos similares: Edythe Bronston (quien tiene experiencia con BDF en relación con una demanda civil diferente entablada por algunos inversores) y Robb Evans.

Se ha programado que la petición del gobierno al Tribunal que solicita el nombramiento de un Funcionario Especial se trate el **25 de enero de 2010**. Si alguien se opone a que se nombre un Funcionario Especial, y desea oponerse a la petición del gobierno, debe presentar una oposición por escrito ante el Tribunal antes del 11 de enero de 2010 inclusive. **(Este es el plazo sólo para oponerse a nombrar un Funcionario Especial, no es el plazo para entablar una demanda para obtener resarcimiento de los fondos confiscados, o para oponerse a cualquier cálculo que se pueda realizar posteriormente sobre el resarcimiento de cada víctima. Si usted no se opone al nombramiento de un Funcionario Especial, no tiene que presentar nada.)** Si desea obtener una copia de la petición del gobierno y el orden propuesto, puede ver una copia en Internet en http://www.justice.gov/usao/cac/HowCanWeHelp/vw/case_updates.html#best. Si prefiere recibir una copia impresa por correo, se la enviaremos si llama al 213-894-0930 y deja su nombre, dirección y número de teléfono. Estos documentos son escritos en Inglés.

Sabemos que los inversores se han visto muy afectados por las pérdidas del plan de BDF. Esta oficina sinceramente cree que usar un Funcionario Especial será la manera más rápida de lograr un resultado justo: la distribución de fondos confiscados a inversores víctimas que han sufrido pérdidas personales verificables y calculables.

Los Angeles, CA Enero 4 del 2010

El motivo de la presente es para comunicarles
que no estoy de acuerdo en que nombren a un
Funcionario Especial sobretodo si el pago de este salda
e los fondos confiscados los cuales no son
eficientes para devolvernos nuestro dinero y ensi-
ra quieren tomar de ese dinero para afectarnos
un mas todavia a nosotros los inversores.
Ami ya me afectaron demasiado, cuando ustedes
intervinieron esta compania yo ya havia entregado
una carta la cual era una solicitud de retiro de
mis bienes los cuales hubiera recibido sino
hubiera sido por ustedes. Tampoco se si hicie-
ron bien la investigacion a este Señor
Milton Retana) Yo escuche que aun tiene muchos
inversiones y cosas y negocios a nombre de
otras personas para evitar sean confiscadas
Tambien tiene propiedades en su pais El Salvador
a nombre de otras personas es lo que he
escuchado

atte

0 [REDACTED] L [REDACTED]

G

January 7, 2010

To the U.S. Department of Justice:
312 North Spring Street
Los Angeles, CA. 90012
RE: Case number CV 09-2398 RGK (RZx)

I have received a letter from you in reference to the civil law suite brought from the United States vs. \$6,874,564.25 in funds six Wells Fargo Bank accounts, et al. You have recommended that a neutral third party be appointed to pro rate and distribution of the funds that are being detained.

I would like to express my objection to a Special Masters that has been recommended to the pro rating and distribution of the remaining funds for the reason that there is a conflict of interest that Edythe Bronston who has a separate civil case against the defendant Mr. Retana and BDF. You have also recommended Robb Evans who I also object. I don't feel that we should have to pay from the funds that are being held for the Special Masters.

Sincerely,

G

R

Tait, Monica (USACAC)

From: Hanif, Georgia (USACAC)
Sent: Wednesday, January 06, 2010 4:13 AM
To: Tait, Monica (USACAC); Alabaso, Jeff (USACAC)
Subject: Fw: Assistance

From: Martinez, Leo (USACAC)
To: Hanif, Georgia (USACAC)
Sent: Tue Jan 05 19:51:03 2010
Subject: RE: Assistance

Georgia:

Below is the translation of the letter you gave me. I laid-out the English version to the Spanish version. Absent grammar, I tried to convey as much of the meaning of the letter as possible.

Case Number CV 09-2398 RGK(RZx)

U.S. Attorney

January 4, 2010

My name is: A [REDACTED]

United States Court

This letter is in regard to convey that I am in agreement in the application of the law and its justice, in an immediate restitution, just and equitable.

But I do not agree (or not in accord) that the amounts be reduced and that the amounts of capital confiscated are small due to paying out fees (honorariums) and expenses to public officials.

I have been taking into account the news I've received information from there is a suspected (or supposed) fraud of \$62 million, you have not recovered half of it and if we are speaking of justice, it is not right that the quantity is less from the amount recovered.

Kindly

A [REDACTED] C [REDACTED] C [REDACTED]

phone: 323 [REDACTED]

Court Number

08-CR-01433

January 4, 2009

Monica E. Tait
Assistant United States Attorney
→ California Bar No. 157311
1400 United States Courthouse
312 North Spring Street, 14th Floor
Los Angeles, CA 90012

Ms. Tait:

We are in receipt of your letter regarding the "Special Master" Motion. We will not agree to you appointing a "Special Master" or any of your colleagues that you recommend or refer us to. You played a significant role in this debacle. You are the one that needs to act responsibly and urgently to clean up the mess you helped create. It is not our responsibility or duty.

We also want you to address the following questions we have:

- What have you done with our investment capital over the last 14 months?
- Have you been a good steward with our funds and have you ensured that optimum interest was collected over the last 14 months that you've held them?
- Did you exercise good stewardship and keep-up payments on the assets and properties of the defendant? Or, did you allow the assets and properties to go into default or foreclosure?

It is evident to us that you seem lack the integrity and the competence needed to handle this process. Therefore, we will ask the State Bar to oversee you as you continue to prolong this process and hold our funds.

Best Regards,
The Investors of Best Diamond Funding

cc: The State Bar of California
Interim Chief Trial Counsel Russell Weiner
President Howard B. Miller
Judicial Watch

EXHIBIT 6

1 DECLARATION OF MONICA E. TAIT

2 1. I am an Assistant United States Attorney in the Central
3 District of California. I am the attorney chiefly responsible
4 for representing the government's interest in the action United
5 States v. \$6,874,561.25 in Funds from Six Wells Fargo Bank
6 Accounts, et al., CV 09-2398 RGK (RZx). I have personal
7 knowledge of the following facts unless otherwise indicated and,
8 if called as a witness, would testify thereto under oath.

9 2. Attached as Exhibit 7 is a copy of the docket for the
10 civil action Levy v. Best Diamond Funding, et al., CV 09-3740 R
11 (JCx), which I printed from the court's PACER electronic
12 docketing system on January 15, 2010. There are five named
13 plaintiffs in the case (the "Leyva investors¹"), but no class has
14 been certified in this action, nor has any attorney or firm been
15 appointed as class counsel pursuant to Fed. R. Civ. P. 23(g).
16 Recently, an order to show cause re: dismissal has been issued
17 (docket entry 96).

18 3. Attached as Exhibit 8 is a copy of the "[Proposed]
19 Order: (1) Appointing Edythe L. Bronston as Temporary Receiver;
20 and (2) for [A] Temporary Restraining Order" in the Levy v. Best
21 Diamond case, which was sent to me by email by the Leyva
22 investors' counsel in or about the first week of June 2009.
23 Attached as Exhibit 9 is a copy of the order dated June 12, 2009
24 appointing the first receiver in the Levy v. Best Diamond

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26 ¹ Although the lead plaintiff's last name is spelled
27 "Levy" in his initial pleadings in his own action, the
28 submission his counsel has filed in this civil forfeiture case
identifies the spelling as "Leyva."

1 action. In both orders, the Leyva investors proposed the
2 creation of a receivership estate from which the expenses of a
3 receiver would be paid, and the remaining funds held for
4 distribution to the investors on their claims in the case.

5 4. On or about January 12, 2009, I spoke by telephone with
6 Dennis Murphy, whom the Leyva investors have nominated for the
7 position of Special Master in place of the candidates recommended
8 by the government. Mr. Murphy stated he has experience
9 administering funds that have been secured for the benefit of
10 fraud victims by governmental entities. Mr. Murphy further
11 indicated that he never has been involved in a case in which the
12 governmental entity has been ordered to pay his costs and
13 expenses, and that in all instances his costs and expenses were
14 paid from the fund from which victims were paid.

15 5. I spoke with Edythe Bronston by telephone on January
16 14, 2010. I have nominated Ms. Bronston for the Special Master
17 position in this case. Ms. Bronston informed me she has
18 administered victim claims in actions brought by governmental
19 entities, and she indicated that the governmental entities have
20 never been ordered to pay her costs and expenses in such a case,
21 and that instead such costs and expenses have been paid from the
22 fund preserved for the victims. I separately corresponded by
23 email with Brick Kane, representative of Robb Evans (nominated by
24 the government in the alternative to Edythe Bronston), who has
25 handled numerous claims procedures involving victims in fraud
26 cases. Mr. Kane confirmed by return email that the governmental
27 entities involved in those cases have never been ordered to pay
28 the costs and expenses of Robb Evans and Associates.

1 6. During my conversation with Mr. Murphy (the Leyva
2 investors' nominee) I asked him to state his proposed fees for
3 the duties set forth in the proposed Order Appointing Special
4 Master. Mr. Murphy sent me the printed material I have attached
5 hereto as Exhibit 10, which describes certain hourly rates and a
6 "blended rate." In response to my subsequent request for
7 clarification regarding the meaning of the term "blended rate,"
8 Mr. Murphy's associate sent me an email illustrating the meaning
9 of the term, which is attached hereto as Exhibit 11.

10 7. On January 14, 2010, I sent an email to Mr. Murphy and
11 his associate, asking whether Mr. Murphy could confirm whether he
12 would be able to execute the affidavit regarding conflicts of
13 interest, as required for all Special Masters pursuant to Fed. R.
14 Civ. P. 53(a)(2) and 28 U.S.C. § 455. On January 15, 2010, Mr.
15 Murphy and his associate responded by email, stating first,
16 "Would the relationship with [counsel for the Leyva investors]
17 need disclosure and approval? Other than that [Mr. Murphy] and I
18 have discussed the affidavit and he would be able to sign," and
19 later, "That relationship is working on the numbers and structure
20 of business entities that are trying to reorganize. Mr Hinds
21 does the legal work and we do the numbers work." A true and
22 correct copy of the email string is attached hereto as Exhibit
23 12.

24 8. Since I filed the motion for appointment of a special
25 master, I have spoken by telephone with one Best Diamond Funding
26 ("BDF") victim about the motion (with the assistance of a
27 paralegal in my office who is fluent in Spanish). This victim
28 said he had received our mailed Notice about the Motion and

1 wanted to know whether he needed to take any action. I
2 reiterated some of the information in the Notice for him and told
3 him he only needed to take action if he wished to oppose the
4 appointment of the Special Master. I have received no further
5 contact from this victim.

6 9. In addition to mailed notice, I asked an employee of
7 the USAO who has the ability to control certain content on the
8 USAO's public website ("D.M.") to post copies of the government's
9 Special Master Motion, Exhibits, and Proposed Order on the USAO's
10 website. DM advised me on or about December 21, 2009 that he had
11 posted those documents at the Internet address described in the
12 Notices. I asked DM whether he could determine whether the
13 Internet address had been viewed, and how many times it was
14 viewed. DM informed me on January 14, 2010 that as of that day
15 there had been approximately 500 "pageviews" of the Internet
16 address described in the Notices. On January 15, 2010, I visited
17 the page established by DM from which the moving papers can be
18 accessed, found it to be substantially the same as it was on or
19 about December 21, 2009, and printed the "Pending Case Updates"
20 portion of the screen I viewed (I was unable to print the
21 navigation menus on the screen). A true and correct copy of the
22 January 15, 2010 print-out is attached as Exhibit 13.

23 10. I have asked the Victim Witness Program of the USAO to
24 approve posting a copy of this Response and its exhibits on the
25 Internet, accessible to the public using the same address

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1 referenced on the Notices.

2 I declare under penalty of perjury that the foregoing is
3 true and correct.

4 Executed this 15th day of January at Los Angeles,
5 California.



6 MONICA E. TAIT
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(JCx), APPEAL, DISCOVERY

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:09-cv-03740-R-JC

Juan Carlos Leyva et al v. Best Diamond Funding Corp. et al Date Filed: 05/27/2009
Assigned to: Judge Manuel L. Real Jury Demand: Plaintiff
Referred to: Magistrate Judge Jacqueline Chooljian Nature of Suit: 470 Racketeer/Corrupt
Demand: \$9,999,000 Organization
Case in other court: 9TH CCA, 09-56901 Jurisdiction: Federal Question
Cause: 18:1961 Racketeering (RICO) Act

Plaintiff

Juan Carlos Leyva

*an individual, on behalf of themselves
and on behalf of others similarly
situated*

represented by **Hanna B Raanan**

James Andrew Hinds Jr Law Offices
21515 Hawthorne Blvd Suite 1150
Torrance , CA 90503
310-316-0500
Fax: 310-792-5977
Email: hraanan@jhindslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Andrew Hinds , Jr

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Paul Raymond Shankman

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Fax: 310-792-5977
Email: secretary@jhindslaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Ruby Dominguez
*an individual, on behalf of themselves
and on behalf of others similarly
situated*

represented by **Hanna B Raanan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Andrew Hinds , Jr
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Raymond Shankman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Juventino Hernandez
*an individual, on behalf of themselves
and on behalf of others similarly
situated*

represented by **Hanna B Raanan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Andrew Hinds , Jr
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Raymond Shankman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Bonnie Barraza
*an individual, on behalf of themselves
and on behalf of others similarly
situated*

represented by **Hanna B Raanan**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Andrew Hinds , Jr
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Raymond Shankman
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rosa Anglade
an individual, on behalf of themselves

represented by **Hanna B Raanan**
(See above for address)

*and on behalf of others similarly
situated*

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

James Andrew Hinds , Jr
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Paul Raymond Shankman
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Defendant

Best Diamond Funding Corp.
a California Corporation

Defendant

Best Diamond Realty Corp.
a California Corporation

Defendant

Milton Retana
an individual

Defendant

Lydia Campos
an individual

Defendant

Cindy Retana
an individual

Defendant

Does
1 through 100 inclusive

Receiver

Theodore H Latty

Receiver

Edythe L Bronston, -
Federal Court Receiver
TERMINATED: 11/03/2009

represented by **Edythe L Bronston**
Edythe L Bronston Law Offices
14156 Magnolia Boulevard, Suite 200
Sherman Oaks , CA 91423
818-528-2893
Fax: 818-528-7445

Email: ebronston@bronstonlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Objector

United States of America

Date Filed	#	Docket Text
05/27/2009	<u>1</u>	COMPLAINT against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos, Cindy Retana, Does 1 through 100 inclusive. (Filing fee \$ 350 PAID.), filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (Additional attachment(s) added on 5/28/2009: # <u>1</u> Exhibit, # <u>2</u> Notice of Assignment, # <u>3</u> Summons) (ds). (Additional attachment(s) added on 5/28/2009: # <u>4</u> Civil Cover Sheet) (ds). (Entered: 05/27/2009)
05/27/2009		20 DAY Summons Issued re Complaint - (Discovery) <u>1</u> as to Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos, Cindy Retana, Does 1 through 100 inclusive. (et) (Entered: 05/27/2009)
05/27/2009	<u>2</u>	DEMAND for Jury Trial filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>3</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, identifying Other Affiliate Best Diamond Funding for Bonnie Barraza, Juan Carlos Leyva, Juventino Hernandez, Rosa Anglade, Ruby Dominguez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>4</u>	PLAINTIFFS' APPLICATION for Temporary Restraining Order and Orders for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery and Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. Lodged Proposed Order. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>5</u>	PLAINTIFFS' MEMORANDUM OF POINTS AND AUTHORITIES in Support of PLAINTIFFS' APPLICATION for Temporary Restraining Order and Orders for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery and Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver <u>4</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)

05/27/2009	<u>6</u>	PLAINTIFFS' APPLICATION for Order Shortening Time for hearing re PLAINTIFFS' APPLICATION for Temporary Restraining Order and Orders for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery and Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver <u>4</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. Lodged Proposed Order. (et) (Additional attachment(s) added on 5/28/2009: # <u>1</u> Proposed Order) (ds). (Entered: 05/27/2009)
05/27/2009	<u>7</u>	DECLARATION of HANNA B. RAANAN IN SUPPORT OF PLAINTIFFS' APPLICATION for Temporary Restraining Order and Orders for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery and Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver <u>6</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>8</u>	DECLARATION of BEN CASTILLO IN SUPPORT OF PLAINTIFFS' APPLICATION for Order Shortening Time for hearing re PLAINTIFFS' APPLICATION for Temporary Restraining Order and Orders for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery and Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver <u>6</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>9</u>	CLASS PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE IN CONJUNCTION WITH APPLICATION FOR INJUNCTION AND FOR APPOINTMENT OF RECEIVER IN THE CASE filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>10</u>	RECOMMENDATION BY CLASS PLAINTIFFS THAT EDYTHE L. BRONSTON BE APPOINTED RECEIVER filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (et) (ds). (Entered: 05/27/2009)
05/27/2009	<u>11</u>	ORDER SHORTENING TIME FOR HEARING ON APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDERS TO FREEZE ASSETS (2) FOR THE APPOINTMENT OF A TEMPORARY RECEIVER; (3) REQUIRING ACCOUNTINGS; (4) PROHIBITING THE DESTRUCTION OF DOCUMENTS' (5) GRANTING EXPEDITED DISCOVERY; AND (6) ORDER TO SHOW CAUSE HEARING RE PRELIMINARY INJUNCTION AND APPOINTMENT OF PERMEANT RECEIVER: <u>6</u> IT IS HEREBY ORDERED that the Class Plaintiffs' Application is <u>10</u> GRANTED. The hearing on the Class <u>12</u> Plaintiffs' Application for the appointment of a receiver and for a Temporary restraining order shall be heard before Hon. Manuel Real on Friday May 29, 2009 at 10:00m (see attached order for further details) by Judge Manuel L. Real: <u>6</u> (pj) (Entered: 05/28/2009)

05/28/2009	<u>12</u>	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 (Related Case) filed. Transfer of case declined by Judge R. Gary Klausner, for the reasons set forth on this order. Related Case No. CV 09-02398 RGK (RZx) (rn) (Additional attachment(s) added on 5/28/2009: # <u>1</u> completed order) (rn). (Entered: 05/28/2009)
05/28/2009	<u>13</u>	OF SERVICE filed by Plaintiff Juan Carlos Leyva, re Order on Application to Shorten Time for Hearing,, <u>11</u> <i>PROOF OF SERVICE OF SUMMONS & COMPLAINT AND RELATED DOC MILTON RETANA AND THE U.S. ATTORNEYS OFFICE VIA STAN GREENBERG, DOUG MELSON, THOMAS P. O'BRIEN, AND JAMES A BOWMAN</i> served on May 28, 2009. (Hinds, James) (Entered: 05/28/2009)
05/28/2009	<u>14</u>	OF SERVICE filed by Plaintiff Rosa Anglade, re Order on Application to Shorten Time for Hearing,, <u>11</u> <i>PROOF OF SERVICE OF SUMMONS & COMPLAINT AND RELATED DOCUMENTS ON DEFENDANT CINDY RETANA</i> served on May 28, 2009. (Hinds, James) (Entered: 05/28/2009)
05/29/2009	<u>15</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event to be used is: Service/Waivers of Summons and Complaint / Service of Summons and Complaint Returned Executed (20 Days); or if service is made upon a federal government agency or employee, then event to be used is: Service of Summons and Complaint Returned Executed as to USA. RE: Proof of Service (subsequent documents) <u>13</u> , <u>14</u> . In response to this notice the court may order: (1) an amended or corrected document to be filed, (2) the document stricken, or (3) take other action as the court deems appropriate. (mg) (Entered: 05/29/2009)
05/29/2009	<u>16</u>	MINUTES OF EX PARTE APPLICATION for Temporary Restraining Order and Orders (1) to freeze assets, (2) for the appointment of a temporary receiver, (3) requiring accountings, (4) prohibiting the destruction of documents, (5) granting expedited discovery, and (6) Order to Show Cause hearing re Preliminary Injunction and appointment of permanent receiver Motion Hearing held before Judge Manuel L. Real: The Court hears from counsel. The Court states that all defendants and interested parties must be served with the moving papers, and the matter is continued for hearing on the Temporary Restraining Order to June 8, 2009 at 10:00 a.m. Court Reporter: Bridget Montero. (ake) (Entered: 05/29/2009)
05/29/2009	<u>17</u>	NOTICE OF MOTION AND MOTION for Hearing TRO and Appointment of Receiver, re APPLICATION for Temporary Restraining Order APPLICATION for Order for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery APPLICATION for Order to Show Cause re: Preliminary Injunction and Appointment of Permeant Receiver APPLICATION for Order for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruction of documents; (5) Granting Expedited Discovery <u>4</u> , filed by Class Plaintiff Rosa Anglade. Motion set for hearing on 6/8/2009 at 10:00 AM before Judge Manuel L. Real. (Hinds, James) (Entered: 05/29/2009)

06/04/2009	<u>18</u>	NOTICE OF MOTION AND Amended MOTION to Amended Memorandum in Support of Motion,, <u>5</u> <i>PLAINTIFFS AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDERS: (1) TO FREEZE ASSETS; (2) FOR THE APPOINTMENT OF A TEMPORARY RECEIVER; (3) REQUIRING ACCOUNTINGS; (4) PROHIBITING THE DESTRUCTION OF DOCUMENTS; (5) GRANTING EXPEDITED DISCOVERY; AND (6) ORDER TO SHOW CAUSE HEARING RE PRELIMINARY INJUNCTION AND APPOINTMENT OF PERMANENT RECEIVER</i> filed by Class Plaintiff Rosa Anglade. Motion set for hearing on 6/8/2009 at 10:00 AM before Judge Manuel L. Real. (Hinds, James) (Entered: 06/04/2009)
06/05/2009	<u>19</u>	<i>Objections Of Potentially Interested Party United States Of America To Plaintiffs' Proposed Order Appointing Edythe L. Bronston As Temporary Receiver; And for A Temporary Restraining Order; Memorandum Of Points And Authorities In Support; Declarations Exhibits</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Declaration Of Mark Trachtenberg, # <u>3</u> Declaration Of Georgia Hanif, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3)(Tait, Monica) (Entered: 06/05/2009)
06/08/2009	<u>20</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event to be used is (1) Notice UNDER NOTICES and (2) Memorandum in support UNDER Responses Replies and other motion related documents. (type Amended in text) : RE: Amended MOTION to Amended Memorandum in Support of Motion,, <u>5</u> <i>PLAINTIFFS AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDERS: (1) TO FREEZE ASSETS; (2) FOR THE APPOINTMENT OF A</i> Amended MOTION to Amended Memorandum in Support of Motion,, <u>5</u> <i>PLAINTIFFS AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDERS: (1) TO FREEZE ASSETS; (2) FOR THE APPOINTMENT OF A</i> Amended MOTION to Amended Memorandum in Support of Motion,, <u>5</u> <i>PLAINTIFFS AMENDED MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDERS: (1) TO FREEZE ASSETS; (2) FOR THE APPOINTMENT OF A</i> <u>18</u> , MOTION for Hearing TRO and Appointment of Receiver, re APPLICATION for Temporary Restraining Order APPLICATION for Order for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruct MOTION for Hearing TRO and Appointment of Receiver, re APPLICATION for Temporary Restraining Order APPLICATION for Order for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruct MOTION for Hearing TRO and Appointment of Receiver, re APPLICATION for Temporary Restraining Order APPLICATION for Order for (1) to Freeze Assets; (2) For the Appointment of a Temporary Receiver; (3) Requiring Accounting; (4) Prohibiting the Destruct <u>17</u> . In response to this notice the court

29

		<i>may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (pj) (Entered: 06/08/2009)</i>
06/08/2009	<u>21</u>	PROOF OF SERVICE Executed Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon Lydia Campos served on 6/1/2009, answer due 6/21/2009. Original Summons Not Returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>22</u>	PROOF OF SERVICE Executed Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon Milton Retana served on 5/28/2009, answer due 6/17/2009. Original Summons not returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>23</u>	PROOF OF SERVICE Executed by Plaintiff Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon Original Summons not returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>24</u>	PROOF OF SERVICE Executed by Plaintiff Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon United States of America served on 5/28/2009, answer due 6/17/2009. Original Summons not returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>25</u>	PROOF OF SERVICE Executed by Plaintiff Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon <i>Thomas P. O'Brien at U.S. Attorney's Office</i> Original Summons not returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>26</u>	PROOF OF SERVICE Executed by Plaintiff Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, upon Cindy Retana served on 6/1/2009, answer due 6/21/2009. Original Summons not returned. (Shankman, Paul) (Entered: 06/08/2009)
06/08/2009	<u>27</u>	MINUTES OF EX PARTE APPLICATION Hearing held before Judge Manuel L. Real re: plaintiff's Ex Parte Application for Temporary Restraining Order and Orders (1) to freeze assets, (2) for the appointment of a temporary receiver, (3) requiring accountings, (4) prohibiting the destruction of documents, (5) granting expedited discovery, and (6) Order to Show Cause hearing re: Preliminary Injunction and appointment of permanent receiver, <u>18</u> . The Court GRANTS entry of Preliminary Injunction, with Ted H. Latty appointed the Receiver in this matter, as stated on the record. Plaintiff shall submit a proposed order. Court Reporter: Beth Zaccaro. (rj) (Entered: 06/09/2009)
06/11/2009	<u>28</u>	NOTICE OF LODGING filed <i>NOTICE OF LODGMENT OF ORDER: (1) APPOINTING THEODORE H. LATTY AS RECEIVER; AND (2) FOR AND PRELIMINARY INJUNCTION and proof of service</i> re Order on Application for TRO, Order on Application for Order to Show Cause, Motion Hearing, Link Motions to Minutes,,,,,,,,, <u>27</u> (Attachments: # <u>1</u> Proposed Order Order, # <u>2</u> Proof of Service)(Hinds, James) (Entered: 06/11/2009)
06/11/2009	<u>30</u>	[FINAL] REPORT OF RECEIVER THEODORE H. LATTY; REQUEST for Order Discharging Receiver; filed by Receiver Theodore H Latty, Defendants, Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana,

		Lydia Campos, Cindy Retana. (mg) (Entered: 06/17/2009)
06/12/2009	<u>29</u>	ORDER by Judge Manuel L. Real: 1) Appointing Theodore H. Latty as Receiver; and 2) for Preliminary Injunction. IT IS HEREBY ORDERED that the Class Plaintiffs' request for the appointment of a receiver is hereby GRANTED. The receiver shall file with the Clerk of the Court a receiver's oath and bond as required by California Code of Civil Procedure Section 567 in the amount of \$7,500.00, conditioned upon the faithful performance of the receiver's duties. The Class Plaintiffs are not required to post a bond under California Code of Civil Procedure Section 516(b). (See document for further details). Re: 4 Application for Order. (mg) (Entered: 06/15/2009)
06/22/2009	<u>31</u>	MINUTES OF granting <u>30</u> Request for Order; Motion Hearing held before Judge Manuel L. Real: The Court GRANTS the Request for Order Discharging Receiver, as stated on the record, and signs the proposed order discharging Mr. Latty as Receiver and appointing Edythe L. Bronston as Substitute Receiver. Court Reporter: Margaret Babykin. (pj) (Entered: 06/22/2009)
06/22/2009	<u>32</u>	ORDER: (1) APPOINTING SUBSTITUTE RECEIVER; AND (2) DISCHARGING THEODORE H. LATTY FINAL REPORT OF RECEIVER THEODORE H. LATTY; REQUEST FOR ORDER DISCHARGING RECEIVER FILED CONCURRENTLY HERewith by Judge Manuel L. Real, (pj) Modified on 6/22/2009 (pj). (Entered: 06/22/2009)
06/23/2009	<u>33</u>	PROOF OF SERVICE Executed by Class Plaintiff Rosa Anglade, upon Milton Retana served on 6/12/2009, answer due 7/2/2009. The Summons and Complaint were served by By Mail service, by Code of Civil Procedure statute, upon Milton Retana. Due Dilligence declaration N/A. Original Summons Not. (Hinds, James) (Entered: 06/23/2009)
06/23/2009	<u>34</u>	PROOF OF SERVICE Executed by Class Plaintiff Rosa Anglade, upon Best Diamond Funding Corp. served on 6/12/2009, answer due 7/2/2009. The Summons and Complaint were served by By Mail service, by Code of Civil procedure statute, upon Milton Retana,owner.officer. Due Dilligence declaration N/A. Original Summons Not. (Hinds, James) (Entered: 06/23/2009)
06/23/2009	<u>35</u>	PROOF OF SERVICE Executed by Class Plaintiff Rosa Anglade, upon Best Diamond Realty Corp. served on 6/12/2009, answer due 7/2/2009. The Summons and Complaint were served by By Mail service, by Code of Civil Procedure statute, upon Milton Retana, Owner/Officer. Due Dilligence declaration N/A. Original Summons Not. (Hinds, James) (Entered: 06/23/2009)
06/23/2009	<u>36</u>	Oath of Receiver filed by Receiver Edythe L Bronston re: Order, <u>32</u> (Bronston, Edythe) (Entered: 06/23/2009)
06/24/2009	<u>39</u>	NOTICE of Filing Civil Bond [Pursuant to Local rule 65-5] filed by Receiver Edythe L Bronston. (mg) (Entered: 07/06/2009)
06/26/2009	<u>37</u>	PROOF OF SERVICE filed by Receiver Edythe L Bronston, of Notice of Filing Civil Bond [Pursuant to Local Rule 65-5] served on 06/26/2009. (Bronston, Edythe) (Entered: 06/26/2009)
07/01/2009	<u>38</u>	NOTICE OF MOTION AND MOTION for Reconsideration re Order, <u>32</u>

		<i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> filed by Class Plaintiff Rosa Anglade. Motion set for hearing on 8/3/2009 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Exhibit and proof of service)(Hinds, James) (Entered: 07/01/2009)
07/07/2009	<u>40</u>	RESPONSE IN SUPPORT of MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> <u>38</u> filed by Receiver Edythe L Bronston. (Bronston, Edythe) (Entered: 07/07/2009)
07/17/2009	<u>41</u>	Proof of Service OF SERVICE filed by Class Plaintiff Rosa Anglade, <i>Plaintiffs' Proof of Service of Order Re: Notice to Counsel</i> served on 7/17/09. (Hinds, James) (Entered: 07/17/2009)
07/20/2009	<u>42</u>	RESPONSE re MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> <u>38</u> filed by Former Receiver Theodore H Latty. (pj) (Entered: 07/27/2009)
07/27/2009	<u>43</u>	NOTICE OF MOTION AND MOTION for Order for Instructions filed by Receiver Edythe L Bronston. Motion set for hearing on 8/31/2009 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Declaration of Edythe L. Bronston Supporting Petition for Instructions)(Bronston, Edythe) (Entered: 07/27/2009)
07/27/2009	<u>44</u>	REQUEST for Entry of Default against Defendants Cindy Retana <i>and Lydia Campos, Declaration of Hanna B. Raana in Support and Proof of service</i> filed by Class Plaintiff Rosa Anglade. Request set for hearing on 8/24/2009 at 10:00 AM before Judge Manuel L. Real. (Hinds, James) (Entered: 07/27/2009)
07/27/2009	<u>45</u>	NOTICE OF MOTION AND Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service</i> filed by Class Plaintiff Rosa Anglade. Motion set for hearing on 8/24/2009 at 10:00 AM before Judge Manuel L. Real. (Hinds, James) (Entered: 07/27/2009)
07/27/2009	<u>48</u>	OBJECTION BY FORMER RECEIVER TO PLAINTIFFS PROPOSED ORDER GRANTING MOTION FOR ORDER <u>32</u> filed by Receiver Theodore

		H Latty. (pj) (Entered: 07/30/2009)
07/28/2009	<u>46</u>	DEFAULT BY CLERK ENTERED as to *Defendants Lydia Campos, Cindy Retana* (pj) (Entered: 07/28/2009)
07/28/2009	<u>47</u>	NOTICE OF MOTION AND MOTION to Withdraw Motion for Entry of Defaults Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> , MOTION to Withdraw Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> (Motion set for hearing on 8/24/2009 at 10:00 AM before Judge Manuel L. Real.) filed by Class Plaintiff Rosa Anglade. (Hinds, James) (Entered: 07/28/2009)
07/31/2009	<u>49</u>	NOTICE OF ERRATA filed by Plaintiff Rosa Anglade. correcting MOTION to Withdraw Motion for Entry of Defaults Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> MOTION to Withdraw Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> MOTION to Withdraw Motion for Entry of Defaults Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> MOTION to Withdraw Motion for Entry of Default against Defendants Lydia Campos <i>and Cindy Retana, and Proof of Service 45</i> <i>47 Errata and Withdrawal of Class Plaintiffs' Notice of Motion and Motion for Entry of Defaults Against Defendants Lydia Campos and Cindy Retana and proof of service</i> (Hinds, James) (Entered: 07/31/2009)
08/01/2009	<u>50</u>	NOTICE OF MOTION AND MOTION to Certify Class filed by Class Plaintiff Rosa Anglade. Motion set for hearing on 9/14/2009 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Part 2)(Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>51</u>	REQUEST FOR JUDICIAL NOTICE re MOTION to Certify Class <u>50</u> filed by Class Plaintiff Rosa Anglade. (Attachments: # <u>1</u> Part 2)(Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>52</u>	DECLARATION of James Andrew Hinds, Jr. In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>53</u>	DECLARATION of Hanna B. Raanan In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>54</u>	DECLARATION of Juan Carlos Leyva In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>55</u>	DECLARATION of Bonnie Barraza In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>56</u>	DECLARATION of Juventino Hernandez In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>57</u>	DECLARATION of Rosa Anglade In Support MOTION to Certify Class <u>50</u> filed by Plaintiff Rosa Anglade. (Hinds, James) (Entered: 08/01/2009)
08/01/2009	<u>58</u>	OF SERVICE filed by Class Plaintiff Rosa Anglade, re Request for Judicial Notice, Request for Relief <u>51</u> , Declaration (Motion related) <u>56</u> , MOTION to

		Certify Class <u>50</u> , Declaration (Motion related) <u>55</u> , Declaration (Motion related) <u>57</u> , Declaration (Motion related) <u>54</u> , Declaration (Motion related) <u>52</u> , Declaration (Motion related) <u>53</u> served on 8/3/09. (Hinds, James) (Entered: 08/01/2009)
08/03/2009	<u>59</u>	MINUTES OF Motion for Reconsideration ; Motion Hearing held before Judge Manuel L. Real <u>38</u> : The Court notes that the Former Receiver has stated he will waive any fees due him, and the Courts Order of June 22, 2009 shall be amended accordingly. Plaintiff shall submit the amended order. Court Reporter: Sheri Kleeger. (pj) (Entered: 08/04/2009)
08/04/2009	<u>60</u>	Amendment to MOTION to Certify Class <u>50</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/04/2009)
08/04/2009	<u>61</u>	[PROPOSED] ORDER re MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> MOTION for Reconsideration re Order, <u>32</u> <i>MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT THEREOF and proof of service</i> <u>38</u> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/04/2009)
08/04/2009	<u>62</u>	PROOF OF SERVICE filed by plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, re Amendment (Motion related) <u>60</u> served on 8/4/09. (Raanan, Hanna) (Entered: 08/04/2009)
08/04/2009	<u>63</u>	PROOF OF SERVICE filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, re Motion Related Document,, <u>61</u> served on 8/4/09. (Raanan, Hanna) (Entered: 08/04/2009)
08/04/2009	<u>64</u>	REQUEST for Clerk to Enter Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/04/2009)
08/04/2009	<u>65</u>	ORDER ON MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURTS ORDER ENTERED ON JUNE 22, 2009 by Judge Manuel L. Real: IT IS ORDERED, ADJUDGED AND DECREED that the June-22 Order is MODIFIED and that the request for fees and costs incurred by Mr. Latty and his Law Firm are withdrawn and in all other respects the June-22 Order shall remain in effect. <u>32</u> <u>61</u> (ake) (Entered: 08/05/2009)
08/05/2009	<u>67</u>	CORRECTED ORDER ON MOTION FOR ORDER FOR RECONSIDERATION AND/OR MODIFICATION OF THE COURT'S ORDER ENTERED ON JUNE 22, 2009: IT IS ORDERED, ADJUDGED AND DECREED that the June-22 Order is MODIFIED and that the request for fees and costs incurred by Mr. Latty as special master only is withdrawn and in all other respects the June-22 Order shall remain in effect. by Judge Manuel L.

		Real, (pj) (Entered: 08/07/2009)
08/05/2009	<u>68</u>	OBJECTION BY FORMER RECEIVER TO PLAINTIFFS PROPOSED ORDER ON MOTION FOR ORDER FOR RECONSIDERATION AND OR MODIFICATION OF THE COURT ORDER ENTERED ON JUNE 2, 2009 filed by Receiver Theodore H Latty. (pj) (Entered: 08/07/2009)
08/06/2009	<u>66</u>	NOTICE OF DEFICIENCY Re: REQUEST for Clerk to Enter Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana <u>64</u> . The Clerk cannot enter the requested relief as The proof of service of summons and complaint attached to the request for default filed on 8/4/2009 has three defendants on one proof of service. G Proof of Service is lacking required information. On the certified return receipt it does not indicate recipients capacity to accept service on behalf of defendant. Also, signature illegible. Requesting party shall file a new Request/Application with noted deficiencies corrected in order to have default reconsidered. (pj) (Entered: 08/06/2009)
08/10/2009	<u>69</u>	NOTICE OF MOTION AND Motion for Entry of Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana <i>with Proof of Service</i> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. Motion set for hearing on 9/21/2009 at 10:00 AM before Judge Manuel L. Real. (Raanan, Hanna) (Entered: 08/10/2009)
08/10/2009	<u>70</u>	DECLARATION of Hanna B. Raanan In Support Of Motion for Entry of Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana <i>with Proof of Service</i> <u>69</u> <i>with Proof of Service</i> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/10/2009)
08/26/2009	<u>71</u>	COMMENT OF THE CLASS PLAINTIFFS TO THE RECEIVER'S PETITION FOR INSTRUCTIONS re MOTION for Order for Instructions <u>43</u> <i>with Proof of Service</i> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/26/2009)
08/26/2009	<u>72</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Order for Instructions <u>43</u> <i>in Conjunction with Class Plaintiffs' Comment to Receiver's Petition For Instructions</i> filed by Class Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 08/26/2009)
08/31/2009	<u>73</u>	MINUTES OF Receiver's Petition for Instructions held before Judge Manuel L. Real: The Court discusses the matter with counsel and the Receiver. The Court finds that it has no jurisdiction to provide the Instructions requested by the Receiver. <u>43</u> Court Reporter: Sheri Kleeger. (ake) (Entered: 08/31/2009)
09/01/2009	<u>74</u>	DECLARATION of Receiver In support of MOTION for Order for Instructions <u>43</u> filed by Receiver Edythe L Bronston. (Bronston, Edythe) (Entered: 09/01/2009)
09/01/2009	<u>75</u>	NOTICE of Abandonment of Receiver's Interests in Real Property filed by

		Receiver Edythe L Bronston. (Bronston, Edythe) (Entered: 09/01/2009)
09/04/2009	<u>76</u>	MINUTES (IN CHAMBERS) by Judge Manuel L. Real: Counsel are notified that on the Court's own motion, 1) Plaintiffs' Motion for Entry of Default against Defendants Milton Retana, Best Diamond Funding Corp., Best Diamond Realty Corp. <u>69</u> ; and Plaintiffs' MOTION for Order for Class Certification <u>50</u> are hereby ORDERED CONTINUED from 9/21/09 at 10:00 a.m. to 9/28/09 at 10:00 a.m. Opposition papers remain due on 9/8/2009, and the Reply papers remain due on 9/14/2009. The continuation of the hearing date DOES NOT move the due dates of those filings. (mg) (Entered: 09/04/2009)
09/28/2009	<u>79</u>	MINUTES: 1) Plaintiffs motion for entry of default judgment against defendants Milton Retana, Best Diamond Funding Corp, and Best Diamond Realty Corp <u>69</u> . 2) Plaintiffs' motion for order for class certification (fld 8-1-09) <u>50</u> Hearing held before Judge Manuel L. Real: Plaintiff submits on the papers as filed. The Court denies item # 1 as listed above without prejudice, for reasons as stated on the record. The Court denies item # 2 as listed above. Plaintiff shall submit proposed orders. Court Reporter: Sheri Kleegeer. (jp) (Entered: 10/01/2009)
10/01/2009	<u>77</u>	NOTICE OF MOTION AND MOTION for Order for Terminating Receivership; Approving Final Report and Account filed by Receiver Edythe L Bronston. Motion set for hearing on 11/2/2009 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Declaration of Edythe L. Bronston in Support of Motion To Be Relieved As Receiver; Final Report and Account, # <u>2</u> Exhibit A Through D in Support of Motion To Be Relieved As Receiver; Final Report and Account)(Bronston, Edythe) (Entered: 10/01/2009)
10/01/2009	<u>78</u>	NOTICE OF MOTION AND MOTION for Order for Terminating Receivership; Approving Final Report and Account (<i>Linked to #77</i>) filed by Receiver Edythe L Bronston. Motion set for hearing on 11/2/2009 at 10:00 AM before Judge Manuel L. Real. (Bronston, Edythe) (Entered: 10/01/2009)
10/05/2009	<u>80</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents. The following error(s) was found: Incorrect event selected. Correct event to be used is Notice of Lodging under NOTICES RE: MOTION for Order for Terminating Receivership; Approving Final Report and Account (<i>Linked to #77</i>) MOTION for Order for Terminating Receivership; Approving Final Report and Account (<i>Linked to #77</i>) <u>78</u> . In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. (pj) (Entered: 10/05/2009)
10/07/2009	<u>81</u>	ORDER by Judge Manuel L. Real, re IT IS HEREBY ORDERED that the Class Plaintiffs Class Certification Motion is denied [<u>50</u>] (pj) (Entered: 10/07/2009)
10/07/2009	<u>82</u>	ORDER DENYING, WITHOUT PREJUDICE, CLASS PLAINTIFFS MOTION FOR ENTRY OF DEFAULTS AGAINST DEFENDANTS MILTON RETANA, BEST DIAMOND FUNDING CORPORATION AND BEST DIAMOND REALTY CORPORATION by Judge Manuel L. Real, re, <u>79</u> , IT IS HEREBY ORDERED that the Class Plaintiffs Default Motion

		isdenied, without prejudice <u>69</u> (pj) (Entered: 10/07/2009)
10/15/2009	<u>83</u>	NOTICE OF MOTION AND MOTION for Reconsideration re Order <u>81</u> ; <i>Memorandum of Points and Authorities and Declaration in Support Thereof; with Proof of Service</i> filed by Plaintiff Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. Motion set for hearing on 11/16/2009 at 10:00 AM before Judge Manuel L. Real. (Raanan, Hanna) (Entered: 10/15/2009)
10/16/2009	<u>84</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Reconsideration re Order <u>81</u> ; <i>Memorandum of Points and Authorities and Declaration in Support Thereof; with Proof of Service</i> MOTION for Reconsideration re Order <u>81</u> ; <i>Memorandum of Points and Authorities and Declaration in Support Thereof; with Proof of Service</i> <u>83</u> with Proof of Service filed by Class Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 10/16/2009)
10/16/2009	<u>85</u>	REQUEST for Clerk to Enter Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana filed by Class Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Attachments: # <u>1</u> Declaration)(Raanan, Hanna) (Entered: 10/16/2009)
10/16/2009	<u>86</u>	NOTICE OF MOTION AND Corrected Motion for Entry of Default against DefendantsBest Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana filed by Class Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. Motion set for hearing on 11/16/2009 at 10:00 AM before Judge Manuel L. Real. (Attachments: # <u>1</u> Declaration)(Raanan, Hanna) (Entered: 10/16/2009)
10/19/2009	<u>87</u>	OF SERVICE filed by Class Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez, re Corrected Motion for Entry of Default against DefendantsBest Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana <u>86</u> , REQUEST for Clerk to Enter Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana <u>85</u> served on 10/19/2009. (Raanan, Hanna) (Entered: 10/19/2009)
11/02/2009	<u>88</u>	MINUTES OF Receiver's Motion to be relieved as Receiver; Final Report and Account (fld 10-1-09): Motion Hearing held before Judge Manuel L. Real: The Court GRANTS the Receivers motion to be relieved asReceiver. <u>78</u> Court Reporter: Sheri Kleeger. (pj) (Entered: 11/04/2009)
11/03/2009	<u>89</u>	ORDER by Judge Manuel L. Real,, ORDERED, that the Receiver is hereby discharged from all further duties, liabilities, and responsibilities as Receiver herein; and it is further ORDERED, that upon faithful completion of any final acts ordered by thisCourt, the Receiver is hereby discharged, and the Receivership is terminated, the Receiver's bond is exonerated and the preliminary injunction is terminated; and it is further ORDERED, that this Court retains jurisdiction over any issues arising from the Receivership. Receiver Edythe L Bronston terminated. (pj) (Entered: 11/04/2009)
11/13/2009	<u>90</u>	REQUEST FOR JUDICIAL NOTICE re MOTION for Reconsideration re

		Order <u>81</u> ; <i>Memorandum of Points and Authorities and Declaration in Support Thereof; with Proof of Service</i> MOTION for Reconsideration re Order <u>81</u> ; <i>Memorandum of Points and Authorities and Declaration in Support Thereof; with Proof of Service</i> <u>83</u> with Proof of Service filed by Class Plaintiffs' Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 11/13/2009)
11/16/2009	<u>91</u>	MINUTES (IN CHAMBERS): 1) Plaintiffs' motion for reconsideration of order denying class certification (fld 10-19-09) 2) Class Plaintiffs' Motion for Entry of Defaults (fld 10-16-09) by Judge Manuel L. Real: Plaintiff submits on their papers as filed. The Court DENIES each of the above-listed motions. <u>83</u> <u>85</u> , <u>86</u> (pj) (Entered: 11/23/2009)
11/27/2009	<u>92</u>	NOTICE OF APPEAL to the 9th CCA filed by Class Plaintiff Rosa Anglade. (Hinds, James) (Entered: 11/27/2009)
11/27/2009	<u>94</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 09-56901, 9TH CCA regarding Notice of Appeal to 9th Circuit Court of Appeals <u>92</u> as to PLAINTIFF Rosa Anglade. (lra) (Entered: 12/01/2009)
11/30/2009	<u>95</u>	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals, <u>92</u> as to Plaintiff Rosa Anglade; Receipt Number: 127097 in the amount of \$455. (dmap) (Entered: 12/02/2009)
12/01/2009	<u>93</u>	FILING FEE LETTER issued as to Plaintiff Rosa Anglade, re Notice of Appeal to 9th Circuit Court of Appeals, <u>92</u> . (dmap) (Entered: 12/01/2009)
12/30/2009	<u>96</u>	MINUTES OF IN CHAMBERS ORDER held before Judge Manuel L. Real: THIS MATTER IS SET ON CALENDAR ON JAN. 19, 2010 AT 11:00 A.M. FOR HEARING ON AN ORDER TO SHOW CAUSE RE DISMISSAL FOR LACK OF PROSECUTION, FOR FAILURE OF PLAINTIFFS TO PROPERLY SERVE SUMMONS AND COMPLAINT ON DEFENDANTS, OR OF DEFENDANTS TO ANSWER IF SERVED, OR OF PLAINTIFFS TO OBTAIN ENTRY OF DEFAULT OF DEFENDANTS WHO WERE PROPERLY SERVED. PRESENCE OF COUNSEL AT THE HEARING IS MANDATORY; FAILURE TO APPEAR WILL RESULT IN DISMISSAL OF THE ACTION, (pj) (Entered: 12/30/2009)
01/12/2010	<u>97</u>	REQUEST for Clerk to Enter Default against Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton Retana filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 01/12/2010)
01/13/2010	<u>98</u>	DECLARATION of Plaintiffs re Minutes of In Chambers Order/Directive - no proceeding held, Set Deadlines/Hearings,,,, <u>96</u> <i>Declaration in Response to Order to Show Cause re Dismissal For Lack of Prosecution or of Defendants to Answer or of Plaintiffs to Obtain Entry of Default</i> filed by Plaintiffs Bonnie Barraza, Rosa Anglade, Juan Carlos Leyva, Ruby Dominguez, Juventino Hernandez. (Raanan, Hanna) (Entered: 01/13/2010)
01/14/2010	<u>99</u>	DEFAULT BY CLERK ENTERED as to *Defendants Best Diamond Funding Corp a California Corporation., Best Diamond Realty Corp. a California Corporation, Milton Retana an individual * (pj) (Entered: 01/14/2010)

PACER Service Center			
Transaction Receipt			
01/15/2010 12:32:22			
PACER Login:	xv0010	Client Code:	
Description:	Docket Report	Search Criteria:	2:09-cv-03740-R-JC End date: 1/15/2010
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9
10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 WEST DISTRICT
13

14 JUAN CARLOS LEVYA, an
individual, RUBY DOMINGUEZ, an
15 individual, JUVENTINO
HERNANDEZ, an individual,
16 BONNIE BARRAZA, an individual,
and ROSA ANGLADE, an individual,
17 on behalf of themselves and on
behalf of others similarly situated,
18

19 Plaintiffs,

20 v.

21 BEST DIAMOND FUNDING CORP.,
a California Corporation; BEST
DIAMOND REALTY CORP., a
22 California Corporation; MILTON
RETANA, an individual; LYDIA
23 CAMPOS, an individual; CINDY
RETANA, an individual; DOES 1
24 through 100 inclusive,

25 Defendants.
26

Case No. CV-09-3740 R (JCx)

**[PROPOSED] ORDER: (1)
APPOINTING EDYTHE L.
BRONSTON AS TEMPORARY
RECEIVER; AND (2) FOR AND
TEMPORARY RESTRAINING
ORDER**

DATE: June 8, 2009
TIME: 10:00 A.M.
PACE: Courtroom of the Hon.
Manual Real

27 ///

28 1.

ORDER APPOINTING EDYTHE L. BRONSTON AS TEMPORARY RECEIVER AND FOR
AND TEMPORARY RESTRAINING ORDER

1 This matter came to be heard upon the Class Plaintiffs' Application for A
2 Temporary Restraining Order and Orders: (1) Freezing Assets; (2) Appointing
3 a Temporary Receiver (3) Requiring Accountings; (4) Prohibiting The
4 Destruction Of Documents, (5) Granting Expedited Discovery; and (6) Order
5 To Show Cause Re Preliminary Injunction and Appointment of A Permanent
6 Receiver (hereinafter referred to as the "Application").

7 The Court, having considered the Class Plaintiffs' Complaint, the
8 Application, the supporting Memorandum of Points and Authorities,
9 Declarations and Exhibits, the Request to Take Judicial Notice of the matters
10 in Case No. 2:09-CV 09-02398-GW (Rzx) and Case No. No.: 2:08-CR-01433-
11 PJW , the Response, if any, from the Defendants, and all other evidence and
12 argument presented regarding the Application, finds that:

13 A. This Court has jurisdiction over the parties to, and the subject
14 matter of, this action;

15 B. Good cause exists to believe that Defendants Best Diamond
16 Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos,
17 and Cindy Retana, and each of them, have engaged in, are engaging in, and
18 are about to engage in transactions, acts, practices and courses of business
19 which constitute violations of Sections 5(a) and 5(c) of the Securities Act of
20 1933 ("Securities Act") (15 U.S.C. §§ 77e(a), 77e(c)), Section 10(b) of the
21 Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. § 78j(b)), Rule
22 10b-51(9C.F.R. § 240), and provisions of the Racketeer Influence and Corrupt
23 Organizations Act §§ 1962(a), 1962(c), 1962(d), and related state and
24 common law;

25 C. Good cause exists to believe that Defendants Best Diamond
26 Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos,
27 and Cindy Retana, and each of them, have engaged in, are engaging in, and
28

1 are about to engage in transactions, acts, practices and courses of business
2 which constitute violations of Section 17(a) of the Securities Act (15 U.S.C. §
3 77q(a)), and Section 10(b) of the Exchange Act (15 U.S.C. § 78j(b)) and Rule
4 10b-5 thereunder (17 C.F.R. § 240.10b-5);

5 D. The Class Plaintiffs have demonstrated a probability of success on
6 the merits in this case and the possibility of dissipation of assets belonging to
7 the Class members;

8 E. Good cause exists to believe that an appointment of a temporary
9 receiver for Defendants Best Diamond Funding Corp., Best Diamond Realty
10 Corp., and Milton Retana, and each of them is necessary to identify, preserve
11 and maintain their assets, as well as to manage their affairs pending a final
12 trial on the merits in this matter.

13
14 **IT IS HEREBY ORDERED** that the Class Plaintiffs' request for the
15 appointment of a temporary receiver is hereby **GRANTED**.

16
17 **IT IS FURTHER ORDERED** that Edythe L. Bronston is appointed as
18 temporary receiver of defendants Best Diamond Funding Corp., Best Diamond
19 Realty Corp., and Milton Retana, and their subsidiaries and affiliates
20 (collectively, the "entities in receivership"), with full powers of an equity
21 receiver, including, but not limited to, full power over all funds, assets,
22 collateral, premises (whether owned, leased, occupied, or otherwise
23 controlled), choses in action, books, records, papers and other property
24 belonging to, being managed by or in the possession of or control of any of
25 the entities in receivership and that such receiver is immediately authorized,
26 empowered and directed:

27 ///

- 1 A. To have access to and to collect and take custody, control,
2 possession, and charge of all funds, assets, collateral premises
3 (whether owned, leased, occupied, or otherwise controlled),
4 choses in action, books, records, papers and other real or
5 personal property, wherever located, of or managed by any of the
6 entities in receivership with full power to sue, foreclose, marshal,
7 collect, receive, and take into possession all such property;
- 8 B. To have control of, and to be added as the sole authorized
9 signatory for, all accounts of the entities in receivership, and all
10 accounts over which any of their employees or agents have
11 signatory authority, at any bank, title company, escrow agent,
12 financial institution or brokerage firm which has possession,
13 custody or control of any assets or funds of any of the entities in
14 receivership or which maintains any accounts over which any of
15 the entities in receivership or which maintains any accounts over
16 which any of the entities in receivership and/or any of their officers,
17 employees or agents have signatory authority.
- 18 C. To conduct such investigation and discovery as may be necessary
19 to located, account for, and recover all of the assets of or
20 managed by (and to account for and pursue recovery of the losses
21 of) any of the entities in receivership and to engage and employ
22 attorneys, accountants and other persons to assist in such
23 investigation and discovery;
- 24 D. To take such action as is necessary and appropriate to preserve
25 and take control of and to prevent the dissipation, concealment, or
26 disposition of any assets of or managed by any of the entities in
27 receivership;
- 28

- 1 E. To make an accounting, as soon as practicable, to this Court and
2 to the Class Plaintiffs of the assets and financial condition of the
3 entities in receivership and the assets under their management,
4 and to file the accounting with the Court and deliver copies thereof
5 to all parties;
- 6 F. To make such payments and disbursements from the funds and
7 assets taken into custody, control and possession or thereafter
8 received by her, and to incur, or authorize the making of, such
9 agreements as may be necessary and advisable in discharging
10 her duties as temporary receiver;
- 11 G. Within 30-days after qualifying, the receiver shall file an inventory
12 of all property possessed under this Order;
- 13 H. Upon taking possession of the Collateral, the receiver shall
14 determine whether or not there is sufficient insurance coverage on
15 the Collateral. If sufficient insurance does exist, the receiver shall
16 arrange to be named as an additional insured on the insurance
17 policy(ies) for the period that the receivership estate shall be in
18 possession of the Collateral. If there is insufficient insurance
19 coverage, it is hereby ordered that the receiver shall have (30)
20 working days to procure said insurance on the Collateral which is
21 not abandoned, provided the receiver has funds available to do so,
22 and during said period said receiver shall not be personally
23 responsible for claims arising or for the procurement of insurance.
- 24 I. Upon the receiver's taking possession of the Receivership Estate
25 the receiver shall determine whether or not there is workers
26 compensation insurance in effect and sufficient insurance
27 coverage on the Collateral. If sufficient insurance does exist,
28

1 receiver shall arrange to be named as an additional insured on the
2 insurance policy(ies) for the period that the receivership estate
3 shall be in the possession of the Collateral. If there is insufficient
4 insurance coverage, it is hereby ordered that the receiver shall
5 have authority to procure workers compensation insurance as
6 soon as possible, and any insurance necessary for the Collateral
7 which is not abandoned, with premiums for said insurance being
8 paid from either the Receivership Estate, or from a receiver's
9 Certificate. During said period of procurement, the receiver shall
10 not be personally responsible for any claims arising.

11 J. To employ attorneys, accountants, and others to investigate and,
12 where appropriate, to institute, pursue, and prosecute all claims
13 and causes of action of whatever kind and nature which may now
14 or hereafter exist as a result of the activities of the entities in
15 receivership;

16 K. To have access to, monitor, and redirect all mail (including e-mail
17 and facsimile) of the entities in receivership in order to review such
18 mail which she deems relates to their business and the
19 discharging of her duties as temporary receiver, and

20 L. To employ servants, agents, employees, appraisers, guards,
21 clerks, accountants, and management consultants as necessary to
22 protect and liquidate the Receivership estate and to protect the
23 aforesaid books, records and collateral, as she shall deem the
24 same necessary to protect and liquidate the collateral; to pay the
25 reasonable value of said services out of proceeds of the estate,
26 and that no risk or obligation incurred by said receiver shall be at

27 ///

1 personal risk or obligation of the receiver, but shall be at the risk or
2 obligation of the Receivership estate.

3 M. The monies coming into the possession of the Receivership estate
4 and not used for the purposes herein permitted shall be held by
5 the receiver for the payment of the Investor's claims sued upon in
6 the Complaint, subject to such Orders as this Court may hereafter
7 issue as to its disposition.

8 N. The receiver is empowered to establish bank accounts at any
9 bank the receiver deems appropriate for the deposit of monies and
10 funds collected and received in connection with his liquidation of
11 the Receivership estate.

12 O. The receiver is authorized to institute ancillary proceedings in this
13 state or other states as is necessary to liquidate the Collateral and
14 other assets. Said authority shall include the authority to deal with
15 any international business dealings or operations of the entities in
16 receivership, including collecting income, dealing with letters of
17 credit, or paying expenses as the receiver deems necessary
18 subject to available funds in the estate.

19
20 **IT IS FURTHER ORDERED** that the temporary receiver will disclose to
21 all parties any financial relationship between the receiver and any company
22 she hires to assist in the management of the Receivership estate.

23
24 **IT IS FURTHER ORDERED** that the temporary receiver shall take
25 possession and control of all of the Receivership estate, including, without
26 limitation and assets books, records, or other collateral under the control of or
27 in the possession of the U.S. Attorneys' Office, the FBI, the U.S. Postal
28

1 Inspectors, and/or any other governmental agency affecting the property of
2 entities in receivership.

3
4 **IT IS FURTHER ORDERED** that Defendants Best Diamond Funding
5 Corp., Best Diamond Realty Corp., and Milton Retana, and their subsidiaries
6 and affiliates, and their officers, employees and attorneys, and any other
7 persons who are in custody, possession or control of any assets, collateral,
8 books, records, papers, or other property of or managed by defendants Best
9 Diamond Funding Corp., Best Diamond Realty Corp., and Milton Retana, shall
10 forthwith turn over to the temporary receiver control over all property of
11 Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., and
12 Milton Retana.

13
14 **IT IS FURTHER ORDERED** that no officer agent, servant, employee, or
15 attorney of Best Diamond Funding Corp., Best Diamond Realty Corp., and
16 Milton Retana or their subsidiaries or affiliates shall take any action or purport
17 to take any action, in the name of on behalf of Best Diamond Funding Corp.
18 and/or Best Diamond Realty Corp., or any of their subsidiaries or affiliates,
19 without the written consent of the temporary receiver or further Order of this
20 Court.

21
22 **IT IS FURTHER ORDERED** that, except by leave of this Court, during
23 the pendency of this receivership, all clients, investors, trust beneficiaries,
24 note holders, creditors, claimants, lessors, and all other persons or entities
25 seeking relief of any kind, in law or in equity from Best Diamond Funding
26 Corp., Best Diamond Realty Corp., and Milton Retana or their subsidiaries or
27 affiliates, and all persons acting on behalf of any such investor, trust

1 beneficiary, note holder, creditor, claimant, lessor, or other persons, including
2 sheriffs, marshals, servants, agents, employees, and attorneys, are hereby
3 restrained and enjoined from, directly or indirectly, with respect to any of these
4 entities:

- 5 A. commencing, prosecuting, continuing or enforcing any sit or
6 proceeding (other than the present actions by the United States
7 and/or the Class Plaintiffs) against any of them;
- 8 B. using self-help or executing or issuing or causing the execution or
9 issuance of any court attachment, subpoena, replevin, execution
10 or other process for the purpose of impounding or taking
11 possession of or interfering with or creating or enforcing a lien
12 upon any property or property interests owned by or in the
13 possession of any of the entities, wherever situated;
- 14 C. doing any act or thing whatsoever to interfere with taking control,
15 possession or management by the temporary receiver appointed
16 hereunder of the property and assets owned, controlled or
17 managed by or in the possession of any of the entities in
18 receivership, or in any way to interfere with or harass the
19 temporary or her attorneys, accountants, employees or agents or
20 to interfere in any manner with the discharge of the temporary
21 receiver's duties and responsibilities hereunder;
- 22 D. speaking with or attempting to intimidate any of the Class
23 Plaintiffs, their counsel, or those working with or for the Class
24 Plaintiffs and their counsel.

25
26 **IT IS FURTHER ORDERED** that Defendants Best Diamond Funding
27 Corp., Best Diamond Realty Corp., and Milton Retana and their subsidiaries,
28

1 affiliates, officers, agents, servants, employees and attorneys, shall cooperate
2 with and assist the temporary receiver in the marshaling and collection and/or
3 management of the funds, assets, collateral, premises, and chooses in action
4 described above.

5
6 **IT IS FURTHER ORDERED** that all applications for costs, fees and
7 expenses for services rendered in connection with the receivership other than
8 routine and necessary business expenses in conducting the receivership,
9 such as salaries, rent and any and all reasonable operating expenses, shall
10 be made by application setting forth in reasonable detail the nature of the
11 services and shall be heard by this Court.

12
13 **IT IS FURTHER ORDERED** that the receiver shall file with the Clerk of
14 the Court a receiver's oath and bond as required by California Code of Civil
15 Procedure Section 567 in the amount of \$7,500.00, conditioned upon the
16 faithful performance of the receiver's duties. In addition, the Class Plaintiffs
17 shall file a California Code of Civil Procedure Section 516(b) bond with the
18 Clerk of the Court, with surety thereon, approved by this Court, in the sum of
19 \$_____.

20
21 **IT IS FURTHER ORDERED** that representatives of the U.S. Attorney's
22 Office and/or the Class Plaintiffs and their counsel are authorized to have
23 continuing access to inspect or copy and or all of the corporate books and
24 records and other documents entities in receivership, and their subsidiaries
25 and affiliates, and continuing access to inspect their funds, property, assets,
26 negotiable instruments, and collateral, wherever located.

27 ///

1 **IT IS FURTHER ORDERED** that this Court retains jurisdiction over the
2 parties and the action for the purpose of implementing and carrying out the
3 terms of all orders and decrees which maybe be entered herein and to
4 entertain any suitable application or motion for additional relief within the
5 jurisdiction of this Court.

6
7 **IT IS FURTHER ORDERED** that the temporary receiver shall prepare
8 periodic interim statements reflecting the receiver's fees and administrative
9 costs and expenses incurred for said period in the operation and
10 administration of the receivership estate. Upon completion of an interim
11 statement, and the mailing of said statement to the parties' respective
12 attorneys of record or any other designated person or agent, the receiver shall
13 pay from the estate funds, if any, the amount of said statement. Despite the
14 periodic statement of receiver's fees and administrative expenses, such fees
15 and expenses shall be submitted to the Court for its approval and
16 confirmation, in the form of either a noticed interim request for fees, stipulation
17 among the parties, or receiver's final account and report.

18
19 **IT IS FURTHER ORDERED** that the temporary receiver, or any party to
20 this action, may from time to time, and on due notice to all parties, make
21 application to this Court for further Orders instructing the temporary receiver.

22
23 **IT IS SO ORDERED.**

24
25 DATED:

Hon. MANUAL REAL
UNITED STATES DISTRICT JUDGE

26
27 [Order continued on next page]

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[Order continued from prior page]

Presented by:

By: /s/ James Andrew Hinds, Jr.
JAMES ANDREW HINDS, JR.
PAUL R. SHANKMAN
HANNA B. RAANAN
LAW OFFICES OF JAMES ANDREW HINDS, JR.
Attorneys for the Plaintiffs

OrderAppointingEdythe.V2.wpd

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503.

On the date referenced below, I served the following document described as:

**[PROPOSED] ORDER: (1) APPOINTING EDYTHE L. BRONSTON AS
TEMPORARY RECEIVER; AND (2) FOR AND TEMPORARY RESTRAINING
ORDER**

on all other parties to this action by placing a true copy of the above document enclosed in a sealed envelope addressed as follows:

James A. Bowman, Esq.
Assistant United States Attorney
1100 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012
james.bowman@usdoj.gov
(f): (213) 894-6269

Douglas Melson, Esq.
Douglaw Melson Law Offices
100 Oceangate, Suite 525
Long Beach, CA 90802
douglaw2@aol.com
(f): (310) 436-5444

Stanley I. Greenberg
Stanley I. Greenberg Law Offices
6080 Center Drive, Suite 800
Los Angeles, CA 90045-1574
Stanmanlaw@aol.com
(f): (310) 215-7736

Milton Retana - 55601-112
Metropolitan Detention Center, LA
535 N Alameda St.
Los Angeles, CA 90012

/XX/ BY MAIL - I placed each such sealed envelope, postage thereon fully prepaid for first-class mail, for collection and mailing at 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503, following ordinary business practices. I am familiar with the practice of the Law Office of JAMES ANDREW HINDS, JR. for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

/ / BY FEDERAL EXPRESS - For each person marked with [*] I placed each such sealed Federal Express package in a Federal Express repository for collection located at 21515 Hawthorne Blvd., Suite 1150,
Torrance, California 90503.

/ / BY FAX - For each person marked with [***] I caused a true and correct copy of the document described above to be transmitted by facsimile transmission to the telephone numbers set forth on the attached sheet for the persons names and marked for facsimile transmission.

I declare under penalty of perjury and the laws of the United States of America that the above is true and correct.

Executed on May 29, 2009, at Torrance, California.

/s/ Rodaba Sadozai
Rodaba Sadozai

JAMES ANDREW HINDS, JR. (SBN 71222)
jhinds@jhindslaw.com
PAUL R. SHANKMAN (SBN 113608)
pshankman@jhindslaw.com
HANNA B. RAANAN (SBN 261014)
hraanan@jhindslaw.com
LAW OFFICES OF JAMES ANDREW HINDS, JR.
21515 Hawthorne Blvd.
Suite 1150
Torrance, California 90503
Telephone: (310) 316-0500
Fax: (310) 792-5977

Attorneys for Class Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WEST DISTRICT

JUAN CARLOS LEVYA, an
individual, RUBY DOMINGUEZ, an
individual, JUVENTINO
HERNANDEZ, an individual,
BONNIE BARRAZA, an individual,
and ROSA ANGLADE, an individual,
on behalf of themselves and on
behalf of others similarly situated,

Plaintiffs,

v.

BEST DIAMOND FUNDING CORP.,
a California Corporation; BEST
DIAMOND REALTY CORP., a
California Corporation; MILTON
RETANA, an individual; LYDIA
CAMPOS, an individual; CINDY
RETANA, an individual; DOES 1
through 100 inclusive,

Defendants.

Case No. CV-09-3740 R (JCx)

**ORDER: (1) APPOINTING
THEODORE H. LATTY AS
RECEIVER; AND (2) FOR AND
PRELIMINARY INJUNCTION**

DATE: June 8, 2009
TIME: 10:00 A.M.
PLACE: Courtroom of the Hon.
Manual Real

///

1.

ORDER: (1) APPOINTING THEODORE H. LATTY AS RECEIVER; AND (2) FOR AND
PRELIMINARY INJUNCTION

53

EXHIBIT 9

1 This matter came to be heard upon the Class Plaintiffs' Application for A
2 Preliminary Junction and Orders: (1) Freezing Assets; (2) Appointing a
3 Temporary Receiver (3) Requiring Accountings; (4) Prohibiting The
4 Destruction Of Documents, and (5) Granting Expedited Discovery (hereinafter
5 referred to as the "Application"). The Class Plaintiffs were represented by
6 James Andrew Hinds, Jr. of the Law Offices of James Andrew Hinds, Jr.; the
7 United States was represented by Monica Tait, Assistant U.S. Attorney; no
8 other appearances were noted on the record.

9 The Court, having considered the Class Plaintiffs' Complaint, the
10 Application, the supporting Memorandum of Points and Authorities, as
11 amended, the Declarations and Exhibits, the Request to Take Judicial Notice
12 of the matters in Case No. 2:09-CV 09-02398-GW (Rzx) and Case No. No.:
13 2:08-CR-01433-PJW , the Response of the United States, and all other
14 evidence and argument presented regarding the Application, finds that:

15 A. This Court has jurisdiction over the parties to, and the subject
16 matter of, this action;

17 B. Good cause exists to believe that Defendants Best Diamond
18 Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos,
19 and Cindy Retana, and each of them, have engaged in, are engaging in, and
20 are about to engage in transactions, acts, practices and courses of business
21 which constitute violations of Sections 5(a) and 5(c) of the Securities Act of
22 1933 ("Securities Act") (15 U.S.C. §§ 77e(a), 77e(c)), Section 10(b) of the
23 Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. § 78j(b)), Rule
24 10b-5(9C.F.R. § 240), and provisions of the Racketeer Influence and Corrupt
25 Organizations Act §§ 1962(a), 1962(c), 1962(d), and related state and
26 common law;

27 ///

1 C. Good cause exists to believe that Defendants Best Diamond
2 Funding Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos,
3 and Cindy Retana, and each of them, have engaged in, are engaging in, and
4 are about to engage in transactions, acts, practices and courses of business
5 which constitute violations of Section 17(a) of the Securities Act (15 U.S.C. §
6 77q(a)), and Section 10(b) of the Exchange Act (15 U.S.C. § 78j(b)) and Rule
7 10b-5 thereunder (17 C.F.R. § 240.10b-5);

8 D. The Class Plaintiffs have demonstrated a probability of success on
9 the merits in this case and the possibility of dissipation of assets belonging to
10 the Class members;

11 E. Good cause exists to believe that an appointment of a receiver for
12 Defendants Best Diamond Funding Corp., Best Diamond Realty Corp., Milton
13 Retana, Lydia Campos, and Cindy Retana, and each of them is necessary to
14 identify, preserve and maintain their assets, as well as to manage their affairs
15 pending a final trial on the merits in this matter.

16
17 **IT IS HEREBY ORDERED** that the Class Plaintiffs' request for the
18 appointment of a receiver is hereby **GRANTED**.

19
20 **IT IS FURTHER ORDERED** that Theodore H. Latty is appointed as
21 receiver of defendants Best Diamond Funding Corp., Best Diamond Realty
22 Corp., Milton Retana, Lydia Campos, and Cindy Retana, and each of them,
23 and their subsidiaries and affiliates (collectively, the "entities in receivership"),
24 with full powers of an equity receiver, including, but not limited to, full power
25 over all funds, assets, collateral, premises (whether owned, leased, occupied,
26 or otherwise controlled), choses in action, books, records, papers and other
27 property belonging to, being managed by or in the possession of or control of
28

1 any of the entities in receivership and that such receiver is immediately
2 authorized, empowered and directed:

- 3 A. To have access to and to collect and take custody, control,
4 possession, and charge of all funds, assets, collateral premises
5 (whether owned, leased, occupied, or otherwise controlled),
6 choses in action, books, records, papers and other real or
7 personal property, wherever located, of or managed by any of the
8 entities in receivership with full power to sue, foreclose, marshal,
9 collect, receive, and take into possession all such property;
- 10 B. To have control of, and to be added as the sole authorized
11 signatory for, all accounts of the entities in receivership, and all
12 accounts over which any of their employees or agents have
13 signatory authority, at any bank, title company, escrow agent,
14 financial institution or brokerage firm which has possession,
15 custody or control of any assets or funds of any of the entities in
16 receivership or which maintains any accounts over which any of
17 the entities in receivership or which maintains any accounts over
18 which any of the entities in receivership and/or any of their officers,
19 employees or agents have signatory authority.
- 20 C. To conduct such investigation and discovery as may be necessary
21 to located, account for, and recover all of the assets of or
22 managed by (and to account for and pursue recovery of the losses
23 of) any of the entities in receivership and to engage and employ
24 attorneys, accountants and other persons to assist in such
25 investigation and discovery;
- 26 D. To take such action as is necessary and appropriate to preserve
27 and take control of and to prevent the dissipation, concealment, or
28

1 disposition of any assets of or managed by any of the entities in
2 receivership;

3 E. To make an accounting, as soon as practicable, to this Court and
4 to the Class Plaintiffs of the assets and financial condition of the
5 entities in receivership and the assets under their management,
6 and to file the accounting with the Court and deliver copies thereof
7 to all parties;

8 F. To make such payments and disbursements from the funds and
9 assets taken into custody, control and possession or thereafter
10 received by him, and to incur, or authorize the making of, such
11 agreements as may be necessary and advisable in discharging his
12 duties as receiver;**

13 G. Within 30-days after qualifying, the receiver shall file an inventory
14 of all property possessed under this Order;

15 H. Upon taking possession of the Collateral, the receiver shall
16 determine whether or not there is sufficient insurance coverage on
17 the Collateral. If sufficient insurance does exist, the receiver shall
18 arrange to be named as an additional insured on the insurance
19 policy(ies) for the period that the receivership estate shall be in
20 possession of the Collateral. If there is insufficient insurance
21 coverage, it is hereby ordered that the receiver shall have (30)
22 working days to procure said insurance on the Collateral which is
23 not abandoned, provided the receiver has funds available to do so,
24 and during said period said receiver shall not be personally
25 responsible for claims arising or for the procurement of insurance.

26 I. Upon the receiver's taking possession of the Receivership Estate
27 the receiver shall determine whether or not there is workers
28

1 compensation insurance in effect and sufficient insurance
2 coverage on the Collateral. If sufficient insurance does exist,
3 receiver shall arrange to be named as an additional insured on the
4 insurance policy(ies) for the period that the receivership estate
5 shall be in the possession of the Collateral. If there is insufficient
6 insurance coverage, it is hereby ordered that the receiver shall
7 have authority to procure workers compensation insurance as
8 soon as possible, and any insurance necessary for the Collateral
9 which is not abandoned, with premiums for said insurance being
10 paid from either the Receivership Estate, or from a receiver's
11 Certificate. During said period of procurement, the receiver shall
12 not be personally responsible for any claims arising.

13 J. To employ attorneys, accountants, and others to investigate and,
14 where appropriate, to institute, pursue, and prosecute all claims
15 and causes of action of whatever kind and nature which may now
16 or hereafter exist as a result of the activities of the entities in
17 receivership;

18 K. To have access to, monitor, and redirect all mail (including e-mail
19 and facsimile) of the entities in receivership in order to review such
20 mail which she deems relates to their business and the
21 discharging of his duties as receiver, and

22 L. To employ servants, agents, employees, appraisers, guards,
23 clerks, accountants, and management consultants as necessary to
24 protect and liquidate the Receivership estate and to protect the
25 aforesaid books, records and collateral, as she shall deem the
26 same necessary to protect and liquidate the collateral; to pay the
27 reasonable value of said services out of proceeds of the estate,
28

1 and that no risk or obligation incurred by said receiver shall be at
2 personal risk or obligation of the receiver, but shall be at the risk or
3 obligation of the Receivership estate.

4 M. The monies coming into the possession of the Receivership estate
5 and not used for the purposes herein permitted shall be held by
6 the receiver for the payment of the Investor's claims sued upon in
7 the Complaint, subject to such Orders as this Court may hereafter
8 issue as to its disposition.

9 N. The receiver is empowered to establish bank accounts at any
10 bank the receiver deems appropriate for the deposit of monies and
11 funds collected and received in connection with his liquidation of
12 the Receivership estate.

13 O. The receiver is authorized to institute ancillary proceedings in this
14 state or other states as is necessary to liquidate the Collateral and
15 other assets. Said authority shall include the authority to deal with
16 any international business dealings or operations of the entities in
17 receivership, including collecting income, dealing with letters of
18 credit, or paying expenses as the receiver deems necessary
19 subject to available funds in the estate.
20

21 **IT IS FURTHER ORDERED** that the receiver will disclose to all parties
22 any financial relationship between the receiver and any company he hires to
23 assist in the management of the Receivership estate.
24

25 **IT IS FURTHER ORDERED** that the receiver shall take possession and
26 control of all of the Receivership estate.

27 ///

1 **IT IS FURTHER ORDERED** that Defendants Best Diamond Funding
2 Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos, and Cindy
3 Retana, and each of them, and their subsidiaries and affiliates, and their
4 officers, employees and attorneys, and any other persons who are in custody,
5 possession or control of any assets, collateral, books, records, papers, or
6 other property of or managed by defendants Best Diamond Funding Corp.,
7 Best Diamond Realty Corp., and Milton Retana, shall forthwith turn over to the
8 receiver control over all property of Defendants Best Diamond Funding Corp.,
9 Best Diamond Realty Corp., Milton Retana, Lydia Campos, and Cindy Retana,
10 and each of them.

11
12 **IT IS FURTHER ORDERED** that nothing in this order shall grant the
13 receiver greater powers or rights to assets or documents **(1)** in the custody or
14 control of the United States, its officers, or agents, acting in their official
15 capacities, or **(2)** named as defendants in rem in any civil forfeiture
16 proceeding filed prior to the time plaintiffs' complaint was filed, than those
17 powers and rights possessed by the receivership entities themselves prior to
18 creation of the receivership.

19
20 **IT IS FURTHER ORDERED** that no officer agent, servant, employee, or
21 attorney of Best Diamond Funding Corp., Best Diamond Realty Corp., Milton
22 Retana, Lydia Campos, and Cindy Retana, and each of them, or their
23 subsidiaries or affiliates shall take any action or purport to take any action, in
24 the name of on behalf of Best Diamond Funding Corp. and/or Best Diamond
25 Realty Corp., Milton Retana, Lydia Campos, and Cindy Retana, and each of
26 them, or any of their subsidiaries or affiliates, without the written consent of
27 the receiver or further Order of this Court.

1 **IT IS FURTHER ORDERED** that, except by leave of this Court, during
2 the pendency of this receivership, all clients, investors, trust beneficiaries,
3 note holders, creditors, claimants, lessors, and all other persons or entities
4 seeking relief of any kind, in law or in equity from Best Diamond Funding
5 Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos, and Cindy
6 Retana, and each of them, or their subsidiaries or affiliates, and all persons
7 acting on behalf of any such investor, trust beneficiary, note holder, creditor,
8 claimant, lessor, or other persons, including sheriffs, marshals, servants,
9 agents, employees, and attorneys, are hereby restrained and enjoined from,
10 directly or indirectly, with respect to any of these entities:

- 11 A. commencing, prosecuting, continuing or enforcing any sit or
12 proceeding (other than the present actions by the United States
13 and/or the Class Plaintiffs) against any of them;
- 14 B. using self-help or executing or issuing or causing the execution or
15 issuance of any court attachment, subpoena, replevin, execution
16 or other process for the purpose of impounding or taking
17 possession of or interfering with or creating or enforcing a lien
18 upon any property or property interests owned by or in the
19 possession of any of the entities, wherever situated;
- 20 C. doing any act or thing whatsoever to interfere with taking control,
21 possession or management by the receiver appointed hereunder
22 of the property and assets owned, controlled or managed by or in
23 the possession of any of the entities in receivership, or in any way
24 to interfere with or harass the receivership or his attorneys,
25 accountants, employees or agents or to interfere in any manner
26 with the discharge of the receiver's duties and responsibilities
27 hereunder;
- 28

1 D. speaking with or attempting to intimidate any of the Class
2 Plaintiffs, their counsel, or those working with or for the Class
3 Plaintiffs and their counsel.
4

5 **IT IS FURTHER ORDERED** that Defendants Best Diamond Funding
6 Corp., Best Diamond Realty Corp., Milton Retana, Lydia Campos, and Cindy
7 Retana, and each of them, and their subsidiaries, affiliates, officers, agents,
8 servants, employees and attorneys, shall cooperate with and assist the
9 receiver in the marshaling and collection and/or management of the funds,
10 assets, collateral, premises, and chooses in action described above.
11

12 **IT IS FURTHER ORDERED** that all applications for costs, fees and
13 expenses for services rendered in connection with the receivership other than
14 routine and necessary business expenses in conducting the receivership,
15 such as salaries, rent and any and all reasonable operating expenses, shall
16 be made by application setting forth in reasonable detail the nature of the
17 services and shall be heard by this Court.
18

19 **IT IS FURTHER ORDERED** that the receiver shall file with the Clerk of
20 the Court a receiver's oath and bond as required by California Code of Civil
21 Procedure Section 567 in the amount of \$7,500.00, conditioned upon the
22 faithful performance of the receiver's duties. The Class Plaintiffs are not
23 required to post a bond under California Code of Civil Procedure Section
24 516(b).
25

26 **IT IS FURTHER ORDERED** that representatives of the U.S. Attorney's
27 Office and/or the Class Plaintiffs and their counsel are authorized to have
28

1 continuing access to inspect or copy and or all of the corporate books and
2 records and other documents entities in receivership, and their subsidiaries
3 and affiliates, and continuing access to inspect their funds, property, assets,
4 negotiable instruments, and collateral, wherever located.

5
6 **IT IS FURTHER ORDERED** that this Court retains jurisdiction over the
7 parties and the action for the purpose of implementing and carrying out the
8 terms of all orders and decrees which maybe be entered herein and to
9 entertain any suitable application or motion for additional relief within the
10 jurisdiction of this Court.

11
12 **IT IS FURTHER ORDERED** that the receiver shall prepare periodic
13 interim statements reflecting the receiver's fees and administrative costs and
14 expenses incurred for said period in the operation and administration of the
15 receivership estate. Upon completion of an interim statement, and the mailing
16 of said statement to the parties' respective attorneys of record or any other
17 designated person or agent, the receiver shall pay from the estate funds, if
18 any, the amount of said statement. Despite the periodic statement of
19 receiver's fees and administrative expenses, such fees and expenses shall be
20 submitted to the Court for its approval and confirmation, in the form of either a
21 noticed interim request for fees, stipulation among the parties, or receiver's
22 final account and report.

23 ///

24 ///

25 ///

26 ///

27 ///

1 **IT IS FURTHER ORDERED** that the receiver, or any party to this action,
2 may from time to time, and on due notice to all parties, make application to
3 this Court for further Orders instructing the receiver.

4
5 **IT IS SO ORDERED.**

6
7 DATED: June 12, 2009

8 
9 Hon. MANUEL REAL
10 UNITED STATES DISTRICT JUDGE

11 Presented by:

12 By: /s/ James Andrew Hinds, Jr.
13 JAMES ANDREW HINDS, JR.
14 PAUL R. SHANKMAN
15 HANNA B. RAANAN
16 LAW OFFICES OF JAMES ANDREW HINDS, JR.
17 Attorneys for the Plaintiffs

18 OrderAppointingLatty.v1.wpd
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503.

On the date referenced below, I served the following document described as:

ORDER: (1) APPOINTING THEODORE H. LATTY AS RECEIVER; AND (2) FOR AND PRELIMINARY INJUNCTION

on all other parties to this action by placing a true copy of the above document enclosed in a sealed envelope addressed as follows:

James A. Bowman, Esq.
Assistant United States Attorney
1100 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012
james.bowman@usdoj.gov
(f): (213) 894-6269

Theodore H. Latty, Esq.
Highes Hubbard & Reed LLP
350 South Grand Avenue
Los Angeles, CA 90071-3442
latty@higheshubbard.com

Stanley I. Greenberg
Stanley I. Greenberg Law Offices
6080 Center Drive, Suite 800
Los Angeles, CA 90045-1574
Stanmanlaw@aol.com
(f): (310) 215-7736

Milton Retana - 55601-112
Metropolitan Detention Center, LA
535 N Alameda St.
Los Angeles, CA 90012

Monica Tait, Esq.
Assistant United States Attorney
Monica.Tait@usdoj.gov

/XX/ BY MAIL - I placed each such sealed envelope, postage thereon fully prepaid for first-class mail, for collection and mailing at 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503, following ordinary business practices. I am familiar with the practice of the Law Office of JAMES ANDREW HINDS, JR. for collection and processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for collection.

/ / BY FEDERAL EXPRESS - For each person marked with [*] I placed each such sealed Federal Express package in a Federal Express repository for collection located at 21515 Hawthorne Blvd., Suite 1150, Torrance, California 90503.

/ / BY FAX - For each person marked with [***] I caused a true and correct copy of the document described above to be transmitted by facsimile transmission to the telephone numbers set forth on the attached sheet for the persons names and marked for facsimile transmission.

I declare under penalty of perjury and the laws of the United States of America that the above is true and correct.

Executed on June 12, 2009, at Torrance, California.

/s/ Rodaba Sadozai
Rodaba Sadozai

Tait, Monica (USACAC)

From: Nathan Wiebe [nwiebe@CaseScience.com]
Sent: Tuesday, January 12, 2010 5:22 PM
To: Tait, Monica (USACAC)
Cc: Dennis Murphy
Subject: Special Master
Attachments: DMM 2010 Fees.pdf

Ms. Tait,

It was a pleasure speaking with you today.

I have attached our billing rates for 2010. We agree to cap our rate at a blended figure of \$190/hr.

Thanks,

Nathan Wiebe
Dennis Murphy, CPA
626-794-0288

x
666

EXHIBIT 10

DENNIS M. MURPHY, CPA, CIRA
2010 PROFESSIONAL HOURLY BILLING RATES

● Principal: Dennis M. Murphy	\$400.00
● Senior Manager: Stephen J. Baumgartner	\$350.00
● Senior Analyst/Manager: Nathan Wiebe	\$260.00
● Senior Accountant: Dickson Hung, CPA	\$260.00
● Senior Accountant: Adele R. Warner	\$220.00
● Senior Accountant: Chris Yau, CPA	\$200.00
● Accountant: Sheldon Chan, CPA	\$140.00
● Analyst: Bonnie Huang	\$140.00
● Paraprofessional: Ed Cantrell	\$140.00

Tait, Monica (USACAC)

From: Nathan Wiebe [nwiebe@CaseScience.com]
Sent: Wednesday, January 13, 2010 10:30 AM
To: Tait, Monica (USACAC)
Cc: Dennis Murphy
Subject: RE: Special Master

Sure thing. I wrote up this small example for you:

In this fictitious case we billed a total of 20 hours, with Bonnie and Dennis doing equal amounts of work.

	Hourly Rate	Billable Hours	Billed Amount
Bonnie Huang	140	10	1400
Dennis Murphy	400	10	4000
		20	\$ 5,400
	Hourly Rate (5400/20)		\$ 270

Since billable hourly rate exceeds \$190, we would recalculate as follows:

Hourly Rate	Billable Hours	Billed Amount
190	20	3800

Thus, resulting in a savings of \$1,600.

One of our firm's main objectives when working a case is to get the job done at the best cost for those who have been defrauded. This works out well for parties we serve, as if 100% of the work has to be done by Dennis, you would not be billed his \$400/hr rate.

Additionally, if the hourly rate is lower than \$190, then no adjustments are made (we will not raise our rates if the average is lower than \$190).

I hope illustration clarifies the issue.

Talk to you soon.

-Nathan

From: Tait, Monica (USACAC) [mailto:Monica.Tait@usdoj.gov]
Sent: Wednesday, January 13, 2010 9:00 AM
To: Nathan Wiebe
Cc: Dennis Murphy
Subject: RE: Special Master

Nathan,
Thank you. Could you please clarify once more how the "blended" figure works?
Thanks again,
M Tait

EXHIBIT 11

From: Nathan Wiebe [mailto:nwiebe@CaseScience.com]
Sent: Tuesday, January 12, 2010 5:22 PM
To: Tait, Monica (USACAC)
Cc: Dennis Murphy
Subject: Special Master

Ms. Tait,

It was a pleasure speaking with you today.

I have attached our billing rates for 2010. We agree to cap our rate at a blended figure of \$190/hr.

Thanks,

Nathan Wiebe
Dennis Murphy, CPA
626-794-0288

Tait, Monica (USACAC)

From: Dennis Murphy [dmurphy@dennismurphycpa.com]
Sent: Friday, January 15, 2010 11:36 AM
To: Nathan Wiebe; Tait, Monica (USACAC)
Subject: RE: affidavit; Best Diamond Funding

Ms. Tait: That relationship is working on the numbers and structure of business entities that are trying to reorganize. Mr Hinds does the legal work and we do the numbers work.

Dennis M. Murphy, CPA & CIRA
(626) 794-0288 / 7298 (Fax)
www.DennisMurphyCPA.com

From: Nathan Wiebe
Sent: Friday, January 15, 2010 11:23 AM
To: Tait, Monica (USACAC); Dennis Murphy
Subject: RE: affidavit; Best Diamond Funding

Ms. Tait,

Would the relationship with Jim Hinds need disclosure and approval? Other than that Dennis and I have discussed the affidavit and he would be able to sign.

Thanks,

Nathan

From: Tait, Monica (USACAC) [mailto:Monica.Tait@usdoj.gov]
Sent: Thursday, January 14, 2010 3:13 PM
To: Dennis Murphy; Nathan Wiebe
Subject: affidavit; Best Diamond Funding

Dennis,

Could you please confirm that you would be able to execute an affidavit in the form of the attached (altered for this case, of course) were the court to appoint you as Special Master? This requirement comes from FRCivP 53(a)(2) and 28 U.S.C. 455.

Thank you,

Monica Tait

<<affdavit special masters.pdf>>

Tait, Monica (USACAC)

From: Dennis Murphy [dmurphy@dennismurphycpa.com]
Sent: Friday, January 15, 2010 11:36 AM
To: Nathan Wiebe; Tait, Monica (USACAC)
Subject: RE: affidavit; Best Diamond Funding

Ms. Tait: That relationship is working on the numbers and structure of business entities that are trying to reorganize. Mr Hinds does the legal work and we do the numbers work.

Dennis M. Murphy, CPA & CIRA
(626) 794-0288 / 7298 (Fax)
www.DennisMurphyCPA.com

From: Nathan Wiebe
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Subject: RE: affidavit; Best Diamond Funding

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Thank you,

Monica Tait

<<affdavit special masters.pdf>>



The United States Attorney's Office

Central District of California

Pending Case Updates

[Back to Victim/Witness]



Best Diamond Funding

The government seized approximately \$12 million from Best Diamond Funding and Milton Retana. Retana has agreed to give up ownership of the funds. The government has filed a motion asking the Court to appoint a neutral third party (a "Special Master") to perform loss calculations for victim investors. The items below are copies of the government's motion and related filings (Click on them to view and print).

Notice of Motion And Motion For Appointment of A Special Master

Exhibits

Proposed Order Appointing Special Master

US v. Siddiqi and Rebollo

These defendants were former employees of Countrywide Mortgage Loans. They obtained personal data of Countrywide mortgage holders and sold that data to others outside the company. It is unknown if your information was sold, therefore, you may want to check your credit rating with all three credit reporting bureaus to ensure there is no fraudulent activity on your accounts. The three credit reporting bureaus are: Experian, www.experian.com; 888-397-3742; Equifax, www.equifax.com; 800-685-1111 and Trans Union, www.tuc.com; 800-916-8800.

To learn about court events, please call 888-228-0315 and listen for the updates for US v Rebolo and US v Siddiqi.

In addition, the link below from Countrywide provides information.

<http://mycountrywide.com/media/securityalert.html>

Siddiqi Indictment

Rebollo Indictment

EXHIBIT

72

13

US v. James Michael McGary

US v. James Michael McGary is a mail/wire fraud case involving 10,000 plus victims. The defendant used credit card numbers of other individuals to purchase items from the Internet from www.wherehouse.com, www.nejewelry.com, www.buy.com, www.crunkgrillz.com and www.csn.com.

As the individual victims cannot be fully identified, we suggest if you use the Internet to order products, you may wish to check your credit reports to ensure you have no fraudulent activity. You may request your credit report using www.freecreditreport.com or, www.equifax.com, www.experian.com or www.tuc.com.

US v. Henry Walther, et al; CR 07-153

This mail fraud, lottery scam case solicited approximately 6,000 victims to participate in an international lottery. The involved fraudulent business names used were, Shamrock Agency, German Swiss Group, World Expert Fund, Mutual Medical Insurance Co., Old Amsterdam Trust Co., Euro American Fax Co., European Union Commission, EU American Payment Co., Global Search Network, North American Foreign Payments Services, Worldwide Verification Service, collectively known as "Fraudulent Lottery and Pension Companies".

It is anticipated trial will be in November, 2007.

US v. Gerald Sullivan CR 07-153

Sentencing on 3/13/08

US v. Kristine Eubanks CR 07-154

Status Hearing on 3/13/08

Status Conference on 9/24/08 at 3:00 regarding sentencing.

Sentencing continued to 2/23/09 @ 2:30 PM

If you wish to submit an informal victim impact statement detailing the impact of the crime upon you and the money you lost to the defendant, you may fax your statement to Victim Unit, 213-534-7375, RE: US v Kristine Eubanks, or, you can mail to Victim Unit, 312 N. Spring St., 17th Floor, Los Angeles, CA 90012.

US v. James Mobley

Solicited funds to operate an auction program on DirectTV and Dish Network that offered genuine artwork/jewelry. Items were not genuine.

10,000+ victims nationally

DBA's: Fine Arts Treasures; Fine Arts Gallery, International Giclee Print, Inc., Finer Image giclee Ltd. Finer Image Printers & Publishers, Fine Art Printmaker, Stellas Sales, good Imaging Printing, Image Editions Marketing, Fine Art Network, Morei, Inc. and Finer Images Editions.

Both defendants have pled guilty and are scheduled for sentencing 09/24/07 @ 11:30 before Judge Alicemarie Stotler.

US v. Marc Wilson etal CR 04-476

Sold credit card protection plans

30,000+ victims nationally - many elderly

DBA's: OPCO International Inc., American Fraud Watch Services and Debt Service International.

Defendants are in Canadian custody awaiting extradition.

US v. Scott Walther etal CR 07-134

Fraudulent Lottery Scam - solicited fees to enter international lotteries

7,000+ victims nationally

DBA's: Shamrock Agency, German Swiss Group, World Expert Fund, Mutual Medical Insurance Co., Old Amsterdam Trust Co., Euro American Fax Co., European Union Commission, EU American Payment Co., Global Search Network, North American Foreign Payments Services, Worldwide Verification Service.

Charges were filed 02/28/07; defendants are in various stages of incarceration.

- 1
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- 7
- 8
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- 0
- 1
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- 5
- 6
- 7
- 8

On January 15, 2010, I served a PLAINTIFF'S RESPONSE TO
"STATEMENT OF POSITION" FILED BY JUAN CARLOS LEYVA AND FOUR OTHER
VICTIMS (DOCKET NO. 27) REGARDING MOTION FOR APPOINTMENT OF A
SPECIAL MASTER; DECLARATIONS AND EXHIBITS IN SUPPORT on each
person or entity named below by enclosing a copy in an envelope
addressed as shown below and placing the envelope for collection
and mailing on the date and at the place shown below following
our ordinary office practices.

X I am readily familiar with the practice of this office for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: January 15, 2010 at Los Angeles, California.

TERESA MARTINEZ

SERVICE LIST

James Andrew Hinds, Jr.
Paul R. Shankman
Hanna B. Raanan
Law Offices of James Andrew Hinds, Jr.
21515 Hawthorne Blvd., Suite 1150
Torrance, CA 90503

Matthew M. Chapman
Law Offices of Brian S. Weinberger
16000 Ventura Blvd., Suite 1201
Encino, California 91436

Responses, Replies and Other Motion Related Documents

2:09-cv-02398-RGK-RZ United States of America v. \$6,874,561.25 in Funds From Six Wells Fargo Bank Accounts et al
(RZx), DISCOVERY, RELATED-G

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

The following transaction was entered by Tait, Monica on 1/15/2010 at 4:02 PM PST and filed on 1/15/2010

Case Name: United States of America v. \$6,874,561.25 in Funds From Six Wells Fargo Bank Accounts et al
Case Number: 2:09-cv-2398
Filer: United States of America
Document Number: 29

Docket Text:

PLAINTIFF'S RESPONSE TO "STATEMENT OF POSITION" FILED BY JUAN CARLOS LEYVA AND FOUR OTHER VICTIMS (DOCKET NO. 27) re MOTION to Appoint Special Master[24] ; *DECLARTIONS AND EXHIBITS IN SUPPORT* filed by Plaintiff United States of America. (Attachments: # (1) Declaration of Jeff Alabaso, # (2) Exhibit 1 to Declaration of Jeff Alabaso, # (3) Exhibit 2 to Declaration of Jeff Alabaso, # (4) Exhibit 3 to Declaration of Jeff Alabaso, # (5) Exhibit 4 to Declaration of Jeff Alabaso, # (6) Exhibit 5 to Declaration of Jeff Alabaso, # (7) Exhibit 6 to Declaration of Jeff Alabaso, # (8) Declaration of Monica E. Tait, # (9) Exhibit 7 to Declaration of Monica E. Tait, # (10) Exhibit 8 to Declaration of Monica E. Tait, # (11) Exhibit 9 to Declaration of Monica E. Tait, # (12) Exhibit 10 to Declaration of Monica E. Tait, # (13) Exhibit 11 to Declaration of Monica E. Tait, # (14) Exhibit 12 to Declaration of Monica E. Tait, # (15) Exhibit 13 to Declaration of Monica E. Tait)(Tait, Monica)

2:09-cv-2398 Notice has been electronically mailed to:

Monica E Tait USACAC.Criminal@usdoj.gov, monica.tait@usdoj.gov

2:09-cv-2398 Notice has been delivered by First Class U. S. Mail or by fax to :

Juan Carlos Leyva

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Plaintiff's Response to Docket Numer 27.PDF

Electronic document Stamp:

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Document description:Declaration of Jeff Alabaso

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Declaration of Jeff Albaso.PDF

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Document description:Exhibit 1 to Declaration of Jeff Alabaso

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 1 to Declaration of Jeff Albaso.PDF

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Electronic document Stamp:

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Document description:Exhibit 3 to Declaration of Jeff Alabaso

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 3 to Declaration of Jeff Albaso.PDF

Electronic document Stamp:

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Document description:Exhibit 4 to Declaration of Jeff Alabaso

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Electronic document Stamp:

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Document description:Exhibit 5 to Declaration of Jeff Alabaso

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Document description:Exhibit 6 to Declaration of Jeff Alabaso

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 6 to Declaration of Jeff Albaso.PDF

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Document description:Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Declaration of Monica E. Tait.PDF

Electronic document Stamp:

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Document description:Exhibit 7 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 7 to Declaration of Monica E. Tait.PDF

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Document description:Exhibit 8 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 8 to Declaration of Monica E. Tait.PDF

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Document description:Exhibit 9 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 9 to Declaration of Monica E. Tait.PDF

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Document description:Exhibit 10 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 10 to Declaration of Monica E. Tait.PDF

Electronic document Stamp:

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Document description:Exhibit 11 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 11 to Declaration of Monica E. Tait.PDF

Electronic document Stamp:

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Document description:Exhibit 12 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 12 to Declaration of Monica E. Tait.PDF

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Document description:Exhibit 13 to Declaration of Monica E. Tait

Original filename:N:\tmartinez1\ECF\CAC.LA.CV0902398.20100115.MT.Exhibit 13 to Declaration
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