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5 Receiver
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION
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11 SECURITIES AND EXCHANGE) Case No. ED CV 05-00351 AG
12 COMMISSION,)
Plaintiff,) ASSIGNED JUDGE: HON. ANDREW
13 vs.) GUILFORD
14)
15 TRI ENERGY, INC., H & J ENERGY) **ORDER:**
16 COMPANY, INC., MARINA) **APPROVING RECEIVER'S FEES**
17 INVESTORS GROUP, INC., LOWELL) **AND EXPENSES**
DECKER, ROBERT JENNINGS, HENRY)
18 JONES, and ARTHUR SIMBURG,)
Defendants.) HEARING DATE: JUNE 23, 2014
19 and) TIME: 10:00 a.m.
COURTROOM: 10D
20)
21 LA VIE D'ARGENT, R.P.J.)
22 INVESTMENT GROUP, INC., T.M.A.)
INVESTMENT ENTERPRISES, and)
23 THOMAS AVERY, ADRIENNE LAU,)
ET AL)
24)
Relief Defendants.)
25 _____)
26)

27 Before the Court is the Receiver's Motion for Order Approving and Awarding
28 Receiver's Fees and Expenses, Memorandum of Law and Declaration of Richard

1 Weissman in Support thereof and its supporting exhibits ("Fee Motion"). The Fourth
2 Report and Third Account of Receiver and its exhibits were filed contemporaneously
3 with the Fee Motion. At the hearing on the Fee Motion, appearances were made by
4 Plaintiff, Securities and Exchange Commission, telephonically through its counsel of
5 record, Nancy Burton; by the Receiver, Richard Weissman, pro se, and other parties in
6 interest as set forth in the minutes of the hearing. All papers filed in support of and in
7 response to the Fee Motion have been considered. The matter having been discussed in
8 open court and submitted, and good cause appearing therefor,

11 **IT IS HEREBY ORDERED** that:

12 1. The Receiver's Motion for approval of fees and expenses for the period of
13 September 1, 2008 through August 31, 2013, is approved and granted in full. The fees
14 and expenses, as reported are hereby ratified, approved and confirmed.

15 2. The Court further finds that the fees and expenses petitioned by the
16 Receiver relating to the reported services he and his staff rendered to the receivership and
17 the expenses he incurred for the period of September 1, 2008 through August 31, 2013, as
18 discounted by the Receiver, are found to be fair and reasonable. There were some minor
19 discrepancies in the fee motion relating to Paralegal fees charged from the original order
20 of \$145 per hour with the \$150 per hour charged in the current fee motion. The fee
21 difference comes close to balancing themselves out and do not justify the cost of further
22 revision of the fee petition. The petitioned fees are approved and confirmed, as follows:

27 Receiver's	\$162,281.00
28 Paralegal	\$269,873.00

Accounting	\$ 14,294.00
Subtotal: (9/1/08-8/31/13)	\$446,448.00
Less: Professional Discount	(126,448.00)
Net Approved Fees:	\$320,000.00
Approved Reimbursable Expenses:	455.00
Total (Net) Awarded Interim Fees/Expenses (9/1/08-8/31/13):	<u>\$320,455.00</u>

3. The Receiver is authorized to pay forthwith the awarded fees and expenses from the receivership funds he holds.

IT IS SO ORDERED.

DATED: July 2, 2014



ANDREW J. GUILFORD
U.S. DISTRICT COURT JUDGE