

ROBB EVANS
Receiver of
Assets of James P. Lewis, Jr.,
Financial Advisory Consultants,
Income Fund Ltd. &
Growth Fund Ltd.

11450 Sheldon Street
Sun Valley, California 91352-1121
Telephone No.: (818) 768-8100
Facsimile No.: (818) 768-8802

Securities and Exchange Commission v. James P. Lewis, Jr., et al.
CASE No. CV 03-9354 ABC (VBKx)

Order Granting Motion for:

- (1) Approval of Settlement Agreement and Release with Sharon Lefevers and Bryan Lefevers; and**
- (2) Authorization and Confirmation of the Sale of Greenwich Property and Approval of Sale Procedures**

Filed February 13, 2007

1 GARY OWEN CARIS (SBN 088918)
gcaris@mckennalong.com
2 LESLEY ANNE HAWES (SBN 117101)
lhawes@mckennalong.com
3 ERIN M. JACKSON (SBN 240395)
ejackson@mckennalong.com
4 MCKENNA LONG & ALDRIDGE LLP
444 South Flower Street, 8th Floor
5 Los Angeles, CA 90071-2901
Telephone: (213) 688-1000
6 Facsimile: (213) 243-6330

FILED
CLERK, U.S. DISTRICT COURT
FEB 13 2007
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

7 Attorneys for Receiver
ROBB EVANS

LOGGED

2007 FEB 13 AM 10:54
CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 JAMES P. LEWIS, JR., individually
and doing business as FINANCIAL
16 ADVISORY CONSULTANTS,
INCOME FUND, LTD. and GROWTH
17 FUND, LTD.,

18 Defendants.

CASE NO. CV 03-9354 ABC (VBKx)

**ORDER GRANTING MOTION FOR
(1) APPROVAL OF SETTLEMENT
AGREEMENT AND RELEASE
WITH SHARON LEFEVERS AND
BRYAN LEFEVERS; (2)
AUTHORIZATION AND
CONFIRMATION OF THE SALE
OF GREENWICH PROPERTY AND
APPROVAL OF SALE
PROCEDURES**

DATE: February 12, 2007
TIME: 10:00 a.m.
PLACE: Courtroom 680

21 The matter of the Motion for Order (1) Approving Settlement Agreement and
22 Release with Sharon Lefevers and Bryan Lefevers; (2) Authorizing and Confirming
23 the Sale of Greenwich Property and Approval of Sale Procedures ("Motion") filed
24 by Robb Evans as Receiver over the assets of James P. Lewis, Jr., individually and
25 doing business as Financial Advisory Consultants, Income Fund, Ltd. and Growth
26 Fund, Ltd. ("Receiver"), came on regularly for hearing at the above-referenced
27 date, time and place before the Honorable Audrey B. Collins, United States District
28 Judge presiding. Erin M. Jackson of McKenna Long & Aldridge LLP appeared on

1 behalf of the Receiver and Gregory C. Glynn appeared on behalf of the Securities
2 and Exchange Commission. There were no other appearances despite due and
3 proper notice. The Court having read and considered the Motion and all supporting
4 papers, the Notice of Non-Opposition filed by the Securities and Exchange
5 Commission, and having heard and considered the arguments and contentions of
6 counsel, no opposition to the Motion having been served or filed, and good cause
7 appearing therefor,

8 IT IS ORDERED that:

9 1. The Motion is granted in its entirety.

10 2. Without limiting the generality of the foregoing, the Court hereby
11 approves in its entirety the Settlement Agreement and Release with Sharon
12 Lefevers and Bryan Lefevers attached to the Motion as Exhibit 1.

13 3. Upon Sharon Lefevers' and Bryan Lefevers' full and complete
14 performance under the Settlement Agreement and Release, including without
15 limitation, the transfer of certain real property located at 21 Mackenzie Glen,
16 Greenwich, Connecticut 06830 (the "Greenwich Property") by Sharon Lefevers as
17 provided therein, all claims, demands, actions and causes of action by third parties
18 that could have been asserted by any party for recovery against Sharon Lefevers
19 and Bryan Lefevers arising out of or pertaining to the transfers of money and
20 property made to Sharon Lefevers and Bryan Lefevers by James P. Lewis, Jr. shall
21 be deemed forever barred and all such claims, demands, actions and causes of
22 action by the Receiver against Sharon Lefevers and Bryan Lefevers shall be
23 deemed satisfied.

24 4. The sale of the Greenwich Property by private sale to Klara Nagy
25 ("Buyer") for a gross sales price of \$2.26 million pursuant to the proposed sale
26 contract ("Sale Contract") attached to the Motion as Exhibit 2 is hereby approved.

27 5. The Receiver is hereby authorized to take all steps necessary or
28 convenient to effectuate the sale of the Greenwich Property in accordance with the

1 Sale Contract, including without limitation, executing such deeds and instruments
2 and paying liens and ordinary and customary escrow and closing expenses as
3 provided in the Sale Contract and related documents to effectuate the sale.

4 6. The sale procedures of 28 U.S.C. section 2001(b) are hereby modified
5 to authorize the sale of the Greenwich Property in accordance with the Motion and
6 Sale Contract.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: 2-13-07

AUDREY COLLINS

AUDREY B. COLLINS
United States District Judge