

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

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

**Order Granting Motion for Approval of Receiver's Settlements with
Settling Parties**

Filed November 5, 2008

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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

11

12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 v.

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

19 Defendants.

CASE NO. CV 03-9354 ABC (VBKx)

**ORDER GRANTING MOTION FOR
APPROVAL OF RECEIVER'S
SETTLEMENTS WITH SETTLING
PARTIES**

DATE: November 3, 2008
TIME: 10:00 a.m.
PLACE: Courtroom 680

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22 The matter of the Motion for Approval of Receiver's Settlements with
23 Settling Parties ("Motion") filed by Robb Evans as Receiver over the assets of
24 James P. Lewis, Jr., individually and doing business as Financial Advisory
25 Consultants, Income Fund, Ltd. and Growth Fund, Ltd. ("Receiver"), came on
26 regularly for hearing at the above-referenced date, time and place before the
27 Honorable Audrey B. Collins, United States District Judge presiding. Lesley Anne
28 Hawes of McKenna Long & Aldridge LLP appeared on behalf of the Receiver and

1 Peter F. Del Greco appeared on behalf of the Plaintiff Securities and Exchange
2 Commission. There were no other appearances despite due and proper notice. The
3 Court, having read and considered the Motion and all supporting papers, plaintiff
4 Securities and Exchange Commission having filed its Statement of Non-Opposition
5 to the Motion, no opposition to the Motion having been served or filed, having
6 considered the arguments and contentions of counsel, and good cause appearing
7 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 the Receiver's proposed settlements identified in Exhibit 1 attached
12 hereto;
- 13 3. The Settlement Payments made or to be made by the Settling Parties as
14 described in Exhibit 1 hereto shall be deemed to be made in full and final
15 satisfaction of all claims, demands, actions and causes of action that could have
16 been asserted by any party for recovery of excess profits or other claims for
17 recovery against the Settling Parties arising out of or pertaining to their investment
18 in the fraudulent investment scheme and that such claims by third parties shall be
19 deemed forever barred; and
- 20 4. Upon each Settling Party's full and complete performance of all
21 settlement terms, including without limitation, payment in full of the Settlement
22 Payment by each Settling Party, all such claims, demands, actions and causes of
23 action by the Receiver against the Settling Party shall be deemed satisfied.

24
25 Dated: November 5, 2008



AUDREY B. COLLINS
United States District Judge

EXHIBIT 1

Defendants	Amount Sued For	Settlement Amount	Settlement Terms	Settlement Document
A. Soleimany	\$123,520.20	\$52,000.00	All Cash	Yes – with mutual releases
D. Hall & Western Produce Sales	\$1,166,658.42	\$400,000.00	\$400,000.00 to be paid on or before October 27, 2008.	Yes – with mutual releases
R. Allamehzadeh	\$115,000.00	\$17,000.00	\$50,000.00 Stipulated Judgment against R. Allamehzadeh, but only a total of \$17,000.00 will be paid over 5 months.	Yes – with mutual releases
Ah. Bidarian & Ag. Bidarian	\$140,379.92	\$45,000.00	Stipulation for Entry of Judgment against Ah. Bidarian and Ag. Bidarian in the amount of \$45,000.00 paid over 3 months.	Yes – with mutual releases
J. Keasling & S. Keasling	\$245,512.42	\$9,000.00	Stipulation for Entry of Judgment against J. Keasling and S. Keasling in the amount of \$9,000.00 (\$5,000.00 paid and remaining \$4,000.00 paid over one year).	Yes – with mutual releases
S. Campbell	\$736,158.33	\$80,000.00	Stipulation for Entry of Judgment against S. Campbell in the amount of \$80,000.00 (\$65,000.00 to	Yes – with mutual releases

			be paid up front and remaining \$15,000.00 over 6 months).	
R. Altman	\$51,224.82	\$500.00	\$500.00 to be paid upon execution of agreement.	Yes – with mutual releases
Th. Eckstein & Ti. Eckstein	\$1,111,247.56	\$608,242.00	\$845,033.00 Stipulated Judgment against Th. Eckstein and Ti. Eckstein, but only a total of \$608,242.00 will be paid on or before November 8, 2008.	Yes – with mutual releases
R. S. Smith	\$255,000.00	\$177,000.00	\$230,000.00 Stipulated Judgment against R. S. Smith, but only a total of \$177,000.00 will be paid over two years; including \$78,000.00 paid up front.	Yes – with mutual releases
A. Templeton and J. Templeton	\$386,011.64	\$330,000.00	\$386,011.64 Stipulated Judgment against A. Templeton and J. Templeton, but only a total of \$330,000.00 will be paid over one year, including \$110,000.00 within 30 days (only \$310,000.00 will be paid if paid off within 6 months).	Yes – with mutual releases
TOTAL:	\$4,330,713.31	\$1,718,742.00		