

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 February 13, 2009

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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)

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

DATE: February 9, 2009
TIME: 10:00 a.m.
PLACE: Courtroom 680


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20 The matter of the Motion for Approval of Receiver's Settlements with
21 Settling Parties ("Motion") filed by Robb Evans as Receiver over the assets of
22 James P. Lewis, Jr., individually and doing business as Financial Advisory
23 Consultants, Income Fund, Ltd. and Growth Fund, Ltd. ("Receiver"), came on
24 regularly for hearing at the above-referenced date, time and place before the
25 Honorable Audrey B. Collins, United States District Judge presiding. Angela E.
26 Fones of McKenna Long & Aldridge LLP appeared on behalf of the Receiver and
27 Peter Del Greco appeared on behalf of the Securities and Exchange Commission.
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1 There were no other appearances despite due and proper notice. The Court having
2 read and considered the Motion and all supporting papers, having considered the
3 arguments and contentions of counsel, no opposition to the Motion having been
4 served or filed, and good cause appearing therefor,

5 IT IS ORDERED that:

- 6 1. The Motion is granted in its entirety;
- 7 2. Without limiting the generality of the foregoing, the Court hereby
8 approves the Receiver’s proposed settlements identified in Exhibit 1 attached
9 hereto;
- 10 3. The Settlement Payments made or to be made by the Settling Parties as
11 described in Exhibit 1 hereto shall be deemed to be made in full and final
12 satisfaction of all claims, demands, actions and causes of action that could have
13 been asserted by any party for recovery of excess profits or other claims for
14 recovery against the Settling Parties arising out of or pertaining to their investment
15 in the Receivership Entities’ fraudulent investment scheme and that such claims by
16 third parties shall be deemed forever barred; and
- 17 4. Upon each Settling Party’s full and complete performance of all
18 settlement terms, including without limitation, payment in full of the Settlement
19 Payment by each Settling Party, all such claims, demands, actions and causes of
20 action by the Receiver against the Settling Party shall be deemed satisfied.

21
22
23 Dated: 02/13/09



AUDREY B. COLLINS
United States District Judge

EXHIBIT 1

Defendants	Amount Sued For	Settlement Amount	Settlement Terms	Settlement Document
K. Hosseinzadeh, Sha. Hosseinzadeh, Sheid. Hosseinzadeh, Sheiv. Hosseinzadeh & Sheil. Hosseinzadeh	\$155,012.00	\$20,000.00	All cash.	Yes – with mutual releases
J. Kovak	\$309,038.35	\$135,000.00	Stipulated Judgment in the amount of \$190,000.00 but only \$135,000.00 will be paid (\$10,000.00 has been paid and \$125,000.00 shall be paid no later than March 15, 2009).	Yes – with mutual releases
E. Czisny & M. Czisny	\$1,312,970.77	\$200,000.00	Stipulated Judgment in the amount of \$260,000.00 but only \$200,000.00 will be paid (\$200,000.00 shall be paid no later than March 2, 2009).	Yes – with mutual releases
TOTAL:	\$1,777,021.12	\$355,000.00		

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