

**ROBB EVANS**  
**Receiver of**  
**MX Factors LLC; BBH Resources LLC**  
**and JTL Financial Group LLC**

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**Securities and Exchange Commission v. MX Factors LLC, et al.**  
**CASE No. EDCV 04-223 VAP (SGLx)**

**Order Granting Motion Order:**

- (1) Approving Receiver's Settlements with Fraudulent Transferees;**
- (2) Approving and Authorizing Payment of Receiver's and Professionals' Fees and Expenses for the Period May 1, 2006 through September 30, 2006; and**
- (3) Limiting Notice Under Local Rule 66-7**

**Filed December 4, 2006**

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FILED  
CLERK, U.S. DISTRICT COURT  
DEC - 4 2006  
CENTRAL DISTRICT OF CALIFORNIA  
BY

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

11 SECURITIES AND EXCHANGE  
COMMISSION,

12 Plaintiff,

13 v.

14 MX FACTORS, LLC; BBH  
15 RESOURCES, LLC; JTL FINANCIAL  
GROUP, LLC; RICHARD M.  
16 HARKLESS; DANIEL BERARDI;  
THOMAS HAWKES WORTH; and  
17 RANDALL W. HARDING,

18 Defendants.

CASE NO. EDCV 04-223 VAP (SGLx)

**ORDER GRANTING MOTION FOR  
ORDER: (1) APPROVING  
RECEIVER'S SETTLEMENTS  
WITH FRAUDULENT  
TRANSFEREES; (2) APPROVING  
AND AUTHORIZING PAYMENT  
OF RECEIVER'S AND  
PROFESSIONALS' FEES AND  
EXPENSES FOR THE PERIOD  
FROM MAY 1, 2006 THROUGH  
SEPTEMBER 30, 2006; AND (3)  
LIMITING NOTICE UNDER  
LOCAL RULE 66-7**

19 DATE: December 4, 2006  
20 TIME: 2:00 p.m.  
PLACE: Courtroom 2

21  
22 The Motion for Order: (1) Approving Receiver's Settlements with Fraudulent  
23 Transferees; (2) Approving and Authorizing Payment of Receiver's and  
24 Professionals' Fees and Expenses for the Period from May 1, 2006 Through  
25 September 30, 2006; and (3) Limiting Notice under Local Rule 66-7 ("Motion")  
26 brought by Robb Evans, the permanent receiver ("Receiver") of MX Factors, LLC,  
27 BBH Resources, LLC, JTL Financial Group, LLC and their subsidiaries and  
28 affiliates came on for hearing at the above-referenced date, time and place before

*file* (306)

1 the Honorable Virginia A. Phillips, United States District Judge presiding. Gary  
2 Owen Caris of McKenna Long & Aldridge LLP appeared on behalf of the  
3 Receiver, and <sup>Consolidating and other hearings in Case No. 03-636.</sup> other appearances, if any, were noted in the record at the hearing.

4 The Court having reviewed and considered the moving papers and Plaintiff  
5 Securities and Exchange Commission's Non-Opposition to the Motion on file with  
6 the Court, no opposition to the Motion having been timely filed, and having heard  
7 the arguments of counsel, and good cause appearing therefor,

8 IT IS ORDERED that:

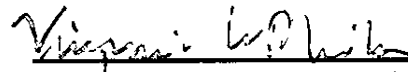
- 9 1. The Motion is granted in its entirety;  
10 2. Without limiting the generality of the foregoing:

11 A. The settlements identified in the Motion are hereby approved,  
12 and the Receiver is hereby authorized to enter into the settlements and take any and  
13 all steps necessary or convenient to implement such settlements;

14 B. The fees and expenses of the Receiver, the Receiver's deputies,  
15 agents, staff and professionals incurred for the period from May 1, 2006 through  
16 September 30, 2006 as set forth in the Motion are hereby approved, and the  
17 Receiver is authorized to pay such fees and expenses; and

18 C. The Receiver's request to limit notice of the hearing on the  
19 Motion is granted, and notice of the hearing on the Motion by service on the parties  
20 to the action is hereby deemed sufficient.

21 DATED: Dec. 4, 2006

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23 \_\_\_\_\_  
24 VIRGINIA A. PHILLIPS  
25 United States District Judge  
26  
27  
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