

ROBB EVANS & ASSOCIATES LLC
Receiver of
National Foreclosure Relief, Inc., et al.

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

Federal Trade Commission v. National Foreclosure Relief, Inc., et al.
CASE No. SACV09-0117 DOC (MLGx)

Notice of Hearing on Motion for Order:

- (1) Approving Receiver's Final Report and Accounting;**
- (2) Approving and Authorizing Payment of Receiver's and Counsel's Fees and Expenses for the Period from October 1, 2009 Through Closing;**
- (3) Discharging Receiver and Relieving Receiver of All Duties and Liabilities;**
- (4) Exonerating Receiver's Bond;**
- (5) Authorizing Abandonment and Destruction of Records; and**
- (6) Limiting Notice under Local Rule 66-7**

Filed December 21, 2010

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ROBB EVANS and ROBB EVANS &
7 **ASSOCIATES LLC**

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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 FEDERAL TRADE COMMISSION,
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13 Plaintiff,

14 v.

15 NATIONAL FORECLOSURE
RELIEF, INC., a corporation;
16 DAVID EALY, an individual;
CHELE STONE, a/k/a Chele Medina,
17 an individual; and HUGO TAPIA,
an individual,

18 Defendants.
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CASE NO. SACV 09-117-DOC (MLGx)

**NOTICE OF HEARING ON
MOTION FOR ORDER: (1)
APPROVING RECEIVER'S FINAL
REPORT AND ACCOUNTING; (2)
APPROVING AND AUTHORIZING
PAYMENT OF RECEIVER'S AND
COUNSEL'S FEES AND EXPENSES
FROM OCTOBER 1, 2009
THROUGH CLOSING; (3)
DISCHARGING RECEIVER AND
RELIEVING RECEIVER OF ALL
DUTIES AND LIABILITIES; (4)
EXONERATING RECEIVER'S
BOND; (5) AUTHORIZING
ABANDONMENT AND
DESTRUCTION OF RECORDS;
AND (6) LIMITING NOTICE
UNDER LOCAL RULE 66-7**

DATE: January 24, 2011
TIME: 8:30 a.m.
PLACE: Courtroom 9D

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25 PLEASE TAKE NOTICE that on January 24, 2011 at 8:30 a.m., or as soon
26 thereafter as counsel may be heard in Courtroom 9D of the above-entitled court
27 located at 411 West Fourth Street, Santa Ana, California, Robb Evans and Robb
28 Evans & Associates LLC, the permanent receiver (individually and collectively

1 “Receiver”) of National Foreclosure Relief, Inc. and their subsidiaries and affiliates
2 (collectively, the “Receivership Defendant”), will and hereby does move the Court
3 for the following relief:

4 1. An order approving the Receiver’s Final Report and Accounting dated
5 December 10, 2010 attached collectively as Exhibit 1 to the Declaration of Brick
6 Kane filed in support hereof, approving and confirming the activities of the
7 Receiver described therein, and approving and confirming all actions and activities
8 taken by or on behalf of the Receiver and all payments made by the Receiver in
9 connection with the administration of the receivership estate;

10 2. An order approving all receivership administrative expenses, including
11 the Receiver’s fees and expenses and those of its counsel incurred in connection
12 with the receivership proceeding, including those previously paid to the Receiver
13 and its counsel, and approving and authorizing payment of all administrative
14 expenses and Receiver’s and counsel’s fees and expenses through the conclusion of
15 this proceeding and the discharge of the Receiver, including those reflected in the
16 Final Report and Accounting, to the extent any such administrative expenses and
17 Receiver’s and counsel’s fees and expenses remain unpaid, including Receiver’s
18 and counsel’s actual fees and expenses incurred and unpaid from the period from
19 July 1, 2009 through the closing of the estate;

20 3. An order authorizing the Receiver to turn over to plaintiff Federal
21 Trade Commission (“FTC”) all funds remaining in the receivership estate after
22 payment of all administrative expenses, including payment of the fees and expenses
23 of the Receiver and its counsel, after wind up of the estate;

24 4. Effective upon the completion of the Receiver’s wind up of the estate,
25 payment of administrative expenses and distribution of remaining estate assets as
26 provided herein, an order (1) discharging the Receiver, its agents, employees,
27 members, officers, independent contractors, attorneys and representatives; (2)
28 releasing the Receiver, its agents, employees, members, officers, independent

1 contractors, attorneys and representatives from all claims and liabilities arising out
2 of and/or pertaining to the receivership herein, including without limitation all
3 claims that were or could have been asserted concerning the Receiver's activities,
4 including without limitation the activities reflected in the Final Report and
5 Accounting; (3) relieving the Receiver, its agents, employees, members, officers,
6 independent contractors, attorneys and representatives of all duties and
7 responsibilities pertaining to the receivership established in this action; and (4)
8 exonerating the Receiver's bond;

9 5. An order authorizing the Receiver to dispose of and destroy the
10 records and all computer hard drives of the Receivership Defendant in the
11 Receiver's possession, custody or control, unless within 30 days after entry of the
12 Order on the Motion, the Receiver has been served with a request by the FTC for
13 possession of the records and/or hard drives or a subpoena by a law enforcement
14 agency for the records and/or hard drives, in which event the Receiver is authorized
15 to turn over the original records and/or hard drives to the FTC or a law enforcement
16 agency in response to the request or subpoena, as applicable;

17 6. An order limiting notice of the hearing on this Motion under Local
18 Rule 66-7 so that notice of the hearing on this Motion is deemed sufficient if served
19 on the parties to the action and any known non-consumer vendor and other
20 creditors; and

21 7. An order for any other and further relief as may be reasonable or
22 appropriate in connection with the wind up and closure of the receivership estate.

23 The Receiver's Motion is made pursuant to Local Civil Rule 66-7(c), (d), (e)
24 and (f), and is based upon this notice of hearing, on the notice of motion and
25 motion, the memorandum of points and authorities and declarations of Brick Kane
26 and Gary Owen Caris filed in support of the Motion, on such pleadings and files of
27 the Court of which the Receiver may request the Court take judicial notice, and
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1 upon such other pleadings and oral and documentary evidence as may be presented
2 at or before the time of the hearing on the Motion.

3 PLEASE TAKE FURTHER NOTICE that the Motion is posted on the
4 Receiver's website at www.robbevans.com/html/nfrelief.html.¹ Copies of the
5 Motion will be provided to any interested party upon receipt of a written request
6 which may be sent to: Robb Evans & Associates LLC, Attn: Cherrie Eustaquio,
7 11450 Sheldon Street, Sun Valley, CA 91352-1121; Telephone: (818) 768-8100;
8 Facsimile: (818) 768-8802.

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10 Dated: December 21, 2010

McKENNA LONG & ALDRIDGE LLP
GARY OWEN CARIS
LESLEY ANNE HAWES

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13 By: /S/ GARY OWEN CARIS
14 Gary Owen Caris

15 Attorneys for Permanent Receiver
16 **ROBB EVANS and ROBB EVANS**
17 **& ASSOCIATES LLC**

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27 ¹ Due to the volume of the billing record exhibits attached to the declarations
28 supporting the Receiver's motion, the time records will not be posted on the
Receiver's website.