

ROBB EVANS
Receiver of
Ohana International, Inc.,
Financial Solutions, et al.

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Securities and Exchange Commission v. Ohana International, Inc., et al.
CASE No. EDCV 04-1386 SVW (SGLx)

Order:

- (1) Approving and Authorizing Sale of Judgments by Auction, Modifying Sale Procedures of 28 U.S.C. Sections 2001 and 2008 in Connection Therewith and for Other Related Relief; and**
- (2) Limiting Notice under Local Rule 66-7;**

Filed October 6, 2009

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 v.

15 OHANA INTERNATIONAL, INC.,
16 FINANCIAL SOLUTIONS, and
17 CHRISTIANO HASHIMOTO,

18 Defendants.
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CASE NO. EDCV 04-1386 SVW
(SGLx)

**ORDER: (1) APPROVING AND
AUTHORIZING SALE OF
JUDGMENTS BY AUCTION,
MODIFYING SALE PROCEDURES
OF 28 U.S.C. § § 2001 AND 2004 IN
CONNECTION THEREWITH AND
FOR OTHER RELATED RELIEF;
AND (2) LIMITING NOTICE
UNDER LOCAL RULE 66-7**

Date: October 5, 2009
Time: 1:30 p.m.
Place: Courtroom 6
312 North Spring Street
Los Angeles, CA 90012

24 The matter of the Motion for Order: (1) Approving and Authorizing Sale of
25 Judgments by Auction, Modifying Sale Procedures of 28 U.S.C. § § 2001 and 2004
26 in Connection Therewith and for Other Related Relief; and (2) Limiting Notice
27 under Local Rule 66-7 ("Motion") filed by Robb Evans, the permanent Receiver
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1 (“Receiver”) of Ohana International, Inc. and over the assets of Christiano
2 Hashimoto, individually and doing business as Financial Solutions (collectively the
3 “Receivership Defendants”), came on regularly for hearing at the above-referenced
4 date, time and place before the Honorable Stephen V. Wilson, United States District
5 Judge presiding. Gary Owen Caris of McKenna Long & Aldridge LLP appeared on
6 behalf of the Receiver, and other appearances, if any, were as noted in the record at
7 the hearing. There were no other appearances despite due and proper notice. The
8 Court having read and considered the Motion and all supporting papers, and
9 opposition to the Motion, if any, and good cause appearing therefor,

10 IT IS ORDERED that:

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

13 A. The Court hereby approves and authorizes the Receiver to sell the
14 outstanding and uncollected judgments totaling a face amount of \$2,311,737.27,
15 plus in the Receiver’s discretion such additional judgments as may be hereafter
16 entered by the Court against Albert Peterson and Marinette Peterson (“Petersons”)
17 and Cal & Nor, Inc. (“Cal & Nor”) (“Judgments”) by auction set forth in and
18 pursuant to that certain Intermediary Services Agreement dated as of July 13, 2009
19 between the Receiver and SecondMarket, Inc. (“Intermediary”) and the Auction
20 Procedures attached thereto as Annex A (collectively the “Auction Agreement”)
21 attached as Exhibit 1 to the Declaration of Gary Owen Caris filed in support of the
22 Motion;

23 B. The procedures under 28 U.S.C. §§ 2001 and 2004 are hereby
24 modified to authorize the Receiver to sell the Judgments by auction through notice
25 and posting of the Judgments to be sold on an electronic platform owned and
26 maintained by the Intermediary and pursuant to the other terms and procedures set
27 forth in the Auction Agreement;

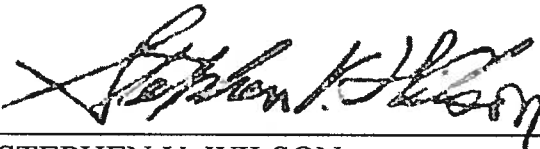
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1 C. The Receiver is authorized to compensate the Intermediary in
2 accordance with the Auction Agreement for its services in connection with the sale
3 of the Judgments, including without limitation making payment to the Intermediary
4 in the minimum sum of \$6,000, or 5% of the amount of the highest and best bid
5 accepted by the Receiver, whichever is greater;

6 D. The Receiver is authorized to execute all documents and instruments
7 necessary or convenient in connection with the Auction Agreement and the sale of
8 Judgments pursuant to the Auction Agreement, including without limitation all
9 assignments and other documents transferring the Receiver's interest in the
10 Judgments to the successful buyer of the Judgments under the Auction Agreement;
11 and

12 E. The notice of the Motion provided by the Receiver is hereby deemed
13 sufficient under the circumstances, and the Receiver is relieved of the obligation to
14 provide notice of the Motion to all creditors under Local Rule 66-7.

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16 DATED: October 6, 2009



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18 STEPHEN V. WILSON
19 United States District Judge
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