

ROBB EVANS & ASSOCIATES LLC
Temporary Receiver of
WG Trading Investors, LP, WGIA, LLC, Westridge Capital Management, Inc.
Stephen Walsh, Paul Greenwood, Certain Relief Defendants, et al.

Commodity Futures Trading Commission v. Westridge Capital Management, et al.
CASE No. 09-CV-1749 (GBD)

Securities and Exchange Commission v. WG Trading Investors, L.P., et al.
CASE No. 09-CV-1750 (GBD)

**The Receiver's Statement of Position Concerning the Submissions by
the Proposed Intervenors and Other Related Parties**

Filed June 30, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

-against-

STEPHEN WALSH, PAUL GREENWOOD,
WESTRIDGE CAPITAL MANAGEMENT, INC.,
WG TRADING INVESTORS, LP, WGIA, LLC,

Defendants,

WESTRIDGE CAPITAL MANAGEMENT
ENHANCEMENT FUNDS INC., WG TRADING
COMPANY LP, WGI LLC, K&L INVESTMENTS,
AND JANET WALSH,

Relief Defendants.

Civil Action No.: 09-CV-1749 (GBD)

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

WG TRADING INVESTORS, L.P., WG TRADING
COMPANY LIMITED PARTNERSHIP,
WESTRIDGE CAPITAL MANAGEMENT, INC.,
PAUL GREENWOOD, and STEPHEN WALSH

Defendants,

ROBIN GREENWOOD and JANET WALSH

Relief Defendants.

Civil Action No.: 09-CV-1750 (GBD)

**THE RECEIVER'S STATEMENT OF POSITION CONCERNING THE SUBMISSIONS
BY THE PROPOSED INTERVENORS AND OTHER RELATED PARTIES**

Robb Evans & Associates LLC, the duly appointed receiver in the two above-captioned matters (the "Receiver"), hereby submits its Statement of Position Concerning the Submissions

by the Proposed Intervenors and Other Related Parties (the "Statement") as follows:

1. The Receiver has received and reviewed submissions concerning initial views on how assets of the estate should be distributed from Carnegie Mellon University, the University of Pittsburgh, Vulcan Materials Company, the seven limited partners of defendant WG Trading Company Limited Partnership, and the Kern County Employees' Retirement Association (the "Interested Parties"). In addition, the Receiver has received and reviewed the statements filed by the Commodity Futures Trading Commission ("CFTC") and Securities and Exchange Commission ("SEC").

2. As anticipated by the Receiver, there are, even at the early stages of these matters, divergent opinions as to how the assets of the estate should be distributed. The Receiver believes that it is premature at this point for the Receiver to make a recommendation to the Court as to how the Receiver believes that the assets should be disbursed to investors and other creditors, as the Receiver's investigation of the facts and circumstances surrounding the defendants' activities and the related legal analysis is on-going.

3. Additionally, and consistent with the Receiver's discussions over the last several months with various investors, the Receiver is concurrently with the filing of this Statement also filing with the Court a motion seeking approval of claims administration procedures, which would set forth a mechanism for investors, creditors, and all other interested parties to express their views as to how the funds of the receivership estate should be disbursed prior to the Receiver making a recommendation to the Court. Specifically, the various parties would have 45 days to provide the Receiver with their written views as to how the funds should be disbursed, the CFTC and SEC would then have 30 days to provide the Receiver with their views as to how the funds should be disbursed, and the Receiver would thereafter have 30 days to file a motion with the Court seeking approval of its proposed distribution plan, with a request that the Court set a hearing on the Receiver's motion and giving investors, creditors, the CFTC and SEC, and all other interested parties one last opportunity 14 days prior to the hearing to file a final reply brief.

4. The Receiver's proposed administration procedures address and satisfy virtually

all of the concerns raised by the Interested Parties in their submissions to the Court, namely, that they be given an opportunity to express their views to the Receiver prior to any distribution plan being submitted to the Court for approval. Preserving the status quo during this administration process will enable the Receiver to continue its investigative efforts, consider the views and evidence presented by the investors, creditors, and other interested parties, and will allow the Receiver to formulate a distribution plan which equitably addresses these issues. While the Receiver understands that all parties may not be satisfied with its proposed distribution plan, all parties will know that the Receiver has, as part of this process, fully and fairly considered their views.

5. Under these circumstances, the Receiver respectfully requests that the Court continue to preserve the status quo under the terms of the preliminary injunctions presently in effect in these matters, and allow the Receiver to proceed with the claims administration process as requested in its accompanying motion.

Dated: June 30, 2009
Los Angeles, California

Respectfully submitted,

/s/ Craig A. Welin

CRAIG A. WELIN, Esq.

California State Bar No. 138418

Admitted Pro Hac Vice in the United States District
Court-Southern District of New York

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