

ROBB EVANS & ASSOCIATES LLC

Receiver of

White Pine Trust Corporation

Richard R. Matthews, Jr.

11450 Sheldon Street

Sun Valley, California 91352-1121

Telephone No.: (818) 768-8100

Facsimile No.: (818) 768-8802

**Commodity Futures Trading Commission v. White Pine Trust Corporation, Inc, et al.
CASE No. 04-CV-2093 J (NLS)**

Order Granting Receiver's *Ex Parte* Application for:

- (1) Amendment of the Order of August 12, 2005 Confirming Sale of Real Property; and**
- (2) Approving Procedure for Limited Notice Thereof**

Filed May 3, 2006

ORIGINAL

FILED

06 MAY -3 AM 8:39

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

 DEPUTY

1 LINDA J. CANDLER, ESQ. [State Bar No. 181805]
2 ROBB EVANS & ASSOCIATES LLC
3 11450 SHELDON STREET
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7 ATTORNEY FOR ROBB EVANS & ASSOCIATES LLC,
8 PERMANENT RECEIVER

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 COMMODITY FUTURES TRADING
12 COMMISSION,

13 Plaintiff,

14 v.

15 WHITE PINE TRUST CORPORATION,
16 a California corporation, RICHARD
MATTHEWS, an individual, and
STEPHEN BAERE, an individual.

17 Defendants.

18 LUCIA MATTHEWS, an
19 individual,

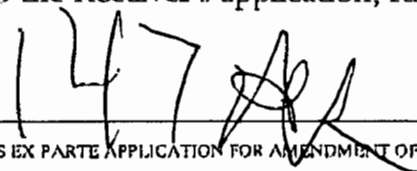
20 Relief Defendant.

CASE NO. 04cv2093-J (NLS)

ORDER GRANTING
RECEIVER'S EX PARTE APPLICATION
FOR (I) AMENDMENT TO THE ORDER OF
AUGUST 12, 2005 CONFIRMING SALE
OF REAL PROPERTY, AND (II)
APPROVING PROCEDURE FOR
LIMITED NOTICE THEREON
[Real Property: 5435 Calumet, La Jolla, CA 92037]

Date: No Hearing Required
(Hon. Napoleon A. Jones, Jr.)

21 The Court, having considered the *Ex Parte* Application of the Receiver for an Order
22 amending the Court's Order of August 12, 2005 approving the sale of real property
23 consisting of a single family residence located at 5435 Calumet Avenue, La Jolla, California
24 92037-7604 ("Application") filed by Robb Evans & Associates LLC as Permanent Receiver
25 for Defendants White Pine Trust Corporation, Richard Matthews, and Stephen Baere, and
26 Lucia Matthews, Relief Defendant (collectively "Receivership Defendants"), and having
27 received no opposition to the Receiver's application, rules as follows:

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IT IS HEREBY ORDERED:


1. The Application and the relief sought therein is granted;

2. This Court's Order of August 12, 2005 confirming and approving the sale of the real property located at 5435 Calumet Avenue, La Jolla, California 92037-7604, for a sales price of \$3,300,000.00 is hereby amended and the Court hereby approves the sale of said property for a sales price of \$2,867,000.00, pursuant to the "Residential Purchase Agreement and Joint Escrow Instructions" dated and signed September 30, 2005 ("Agreement"), a copy of which is collectively attached to the Application as Exhibit "B".

3. The Receiver is authorized to take all steps and execute all documents and instruments necessary to complete the sale of the property to pursuant to the Agreement, including executing such deeds and instruments and paying such real property tax liens and ordinary and customary escrow, title insurance and closing expenses as provided in the Agreement; and

4. The Court approves the proposed limited notice procedures set forth in the Receiver's Motion.

Dated: 5-2-06



NAPOLEON A. JONES, JR.
United States District Judge