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Superior Court of California
County of Los Angeles

OCT 10 2013

Sherri R. Carter, Executive Officer/Clerk
By Annette Fajardo Deputy
Annette Fajardo

6 Attorneys for Plaintiffs DONALD C. PARKER
7 and DONALD C. PARKER SEPARATE
PROPERTY TRUST
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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

12
13 DONALD C. PARKER, DONALD C.
PARKER SEPARATE PROPERTY TRUST,

14 Plaintiffs,

15 vs.

16 TODD GRIFFITHS, an individual; DAVID
17 HUNT, an individual; CT GROUP, INC., a
California corporation, formerly known as
18 CENTURY COIN & COLLECTIBLES, INC.;
COLLECTIBLE ASSETS, LLC, a California
19 limited liability company, TODDCO
MANAGEMENT, LLC, a California limited
20 liability company; LEGACY TANGIBLE
ASSET FUND, LLC, a California limited
21 liability company, PENDULUM ASSET
ALLOCATION FUND, LLC, a California
22 limited liability company, and Does 1 through
23 25,

24 Defendants.

CASE NO. BC 504753

~~PROPOSED~~ ORDER RE:

(1) APPOINTMENT OF RECEIVER
(2) PRELIMINARY INJUNCTION

Assigned to Hon. Mary H. Strobel
Department 32

Action Filed: April 2, 2013
Trial Date: None Set

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26 Upon reading the Verified Complaint filed herein, together with Plaintiffs' supporting
27 Declarations and Memorandum of Points and Authorities, and it appearing to the satisfaction of
28 the Court therefrom that good cause exists to appoint a receiver,

APPOINTMENT OF RECEIVER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Plaintiffs' motion for appointment of a receiver is granted.

2. Robb Evans & Associates LLC is appointed receiver in this action, effective upon taking and filing and oath and the filing of an undertaking as required herein.

3. On qualifying to act as receiver herein by the taking and filing of an oath to perform duties as receiver faithfully and securing and filing an undertaking or bond in the amount of \$ 10,000, receiver, shall take possession of the businesses of CT Group, Inc., Collectible

Assets, LLC, ~~Toddco Management, LLC~~, Legacy Tangible Asset Fund, LLC, and Pendulum Asset Allocation Fund, LLC *and Toddco Management Corp, LLC and Legacy Tangible Asset Fund II, LLC* (collectively "Defendant Companies") and manage, control, care for,

preserve, maintain and incur the expenses necessary for such businesses and, in exercising the foregoing functions, receiver shall have the following powers in addition to those specified by law:

a. To prevent the sale, transfer, assignment, encumbrance or relinquishment of the possession, custody or control over any collectible coins defendants, or any of them, were required to provide to plaintiffs as collateral.

b. To prevent defendants, and each of them, from selling, transferring, assigning, encumbering or otherwise relinquishing possession, custody or control of collectible coins purchased by defendants, or any of them, with money provided by plaintiffs.

c. To prevent defendants from relinquishing possession, custody or control of the sales proceeds or anything which had been secured from the sale or trade of collectible coins which had been purchased by defendants, or any of them, with money provided by plaintiffs or had been pledged by defendants, or any of them, as collateral to plaintiffs.

d. To take possession of all the books and records pertaining to the business of the Defendant Companies, wherever located, as receiver deems necessary for the proper administration, management and/or control of the estate.

e. To investigate and engage in forensic accounting, if necessary, to determine the manner in which Defendant Companies utilized money provided by plaintiffs and the extent to

1 which such money is in the possession of defendants or third parties.

2 f. To investigate and determine the location of coins which were purchased
3 with money provided by plaintiffs and, to the extent such coins are not in possession of any
4 defendant, to determine the manner and circumstances under which possession of such coins was
5 transferred to a third party.

6 g. To investigate and determine the location of coins defendants were to
7 provide as collateral to plaintiffs and, to the extent such coins are not in the possession of plaintiffs
8 or any defendant, to determine the manner and circumstances under which possession of such
9 coins was transferred to a third party.

10 h. To investigate and determine the location of sale proceeds or anything
11 which had been secured from the sale or trade of collectible coins which had been purchased by
12 defendants, or any of them, with money provided by plaintiffs or had been pledged by defendants,
13 or any of them, as collateral to plaintiffs.

14 i. To execute and prepare all documents and to perform all acts, either in the
15 name of the Defendant Companies or in receiver's own name, which are necessary or incidental to
16 preserving, protecting, managing and/or controlling the business of the receivership estate.

17 j. To employ agents, servants, employees, guards, clerks, accountants, on-site
18 managers and management consultants to administer the receivership estate, manage the
19 businesses and keep the same insured and in good repair, if receiver shall deem the same
20 necessary, and to pay the reasonable value of those services out of the sales proceeds or other
21 revenue received.

22 k. To establish bank accounts for the deposit of monies and funds collected
23 and received in connection with receiver's administration of the receivership estate, at any
24 financial institution the receiver deems appropriate, provided that any funds on deposit at the
25 financial institution are fully insured by an agency of the United States government

26 l. To institute ancillary proceedings in the state or other states and countries as
27 are necessary to preserve and protect the receivership estate, and the receiver may engage the
28 services of legal counsel for such purpose. The receiver may pay for such services from the funds

1 of the receivership estate.

2 m. To retain the services of an attorney and to pay such attorney out of funds of
3 the receivership estate to represent receiver in the performance of his/her duties and obligations
4 under this order.

5 4. The Defendant Companies shall notify the receiver upon the receiver's taking
6 possession of the businesses whether or not there is sufficient insurance coverage on the business,
7 including but not limited to inventory or other personal property of the businesses. If sufficient
8 insurance coverage does exist, Defendant Companies shall be responsible for naming, and is
9 hereby ordered to name, the receiver as an additional insured on the insurance policy or policies
10 for the period that the receiver shall be in possession of the business. If there is insufficient
11 insurance coverage, it is hereby ordered that the receiver shall have thirty (30) working days to
12 procure insurance on the business, providing that the receiver has funds available to do so, and
13 during that period the receiver shall not be personally responsible for claims arising or for the
14 procurement of insurance.

15 5. The monies coming into possession of the receiver pursuant to his/her operation of
16 the businesses, and not expended for any of the purposes herein authorized, shall be held by the
17 receiver pending further order from this Court.

18 6. To the extent feasible, the receiver shall, within thirty (30) days of his/her
19 qualification, file in this action an inventory of all property and money of which receiver shall
20 have taken possession pursuant to this Order and shall conduct periodic accountings thereafter.

21 7. Receiver shall prepare periodic interim statements reflecting the receiver's fees and
22 administrative costs and expenses incurred for that interim period in the operation and
23 administration of the receivership estate. Upon completion of an interim statement, and the
24 mailing of the statement to the parties' respective attorneys of record, or any other designated
25 person or agent, the receiver shall pay from the estate funds, if any, the amount of that statement
26 based upon the fee schedule set forth in the declaration of the receiver filed in support of
27 plaintiffs' application for appointment of a receiver. Despite the periodic statement of receiver's
28 fees and administrative expenses, such fees and expenses shall be submitted to the Court for its

1 approval and confirmation, in the form of a notice of an interim request for fees, an agreement
2 among the parties, or the receiver's final accounting and report.

3 8. The receiver, or any party to this action, may, from time to time and on due notice
4 to all parties, make application to this Court for further orders instructing the receiver.

5 **PRELIMINARY INJUNCTION**

6 IT IS FURTHER ORDERED that defendants, and each of them, and their respective
7 agents, servants, officers, directors, representatives and any other person or parties acting in
8 concert or participating with them, shall be and they hereby preliminarily enjoined from engaging
9 in, committing or performing, directly or indirectly, the following acts:


10 1. Selling, transferring, assigning, encumbering or otherwise relinquishing possession,
11 custody or control over any collectable coins which defendants, or any of them, were to provide to
12 either plaintiff as collateral.

13 2. Selling, transferring, assigning, encumbering or otherwise relinquishing possession,
14 custody or control of collectible coins purchased by defendants, or any of them, with money
15 provided by plaintiffs.

16 3. Using or relinquishing possession, custody or control of the sales proceeds or
17 anything which had been secured from the sale or trade of collectible coins which had been
18 purchased by defendants, or any of them, with money provided by plaintiffs or had been pledged
19 by defendants as collateral to plaintiffs.

\$10,000 Rand R TT.

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21 DATED: 10/10, 2013

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25 JUDGE OF THE SUPERIOR COURT
26 JAMES C. CHALFANT
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