

ROBB EVANS & ASSOCIATES LLC

Receiver of

The Rodis Law Group, Inc.

America's Law Group

The Financial Group, Inc. dba Tax Relief ASAP

Federal Trade Commission v. Data Medical Capital, Inc, et al.

CASE No. SA-CV-99-1266 AHS (EEx)

Order Granting Motion for Order:

- (1) Approving Receiver's Final Report and Accounting;**
- (2) Approving Final Distribution of Receivership Assets;**
- (3) Approving Receiver's and Professionals' Fees and Expenses from November 1, 2009 Through Closing;**
- (4) Discharging Receiver;**
- (5) Relieving Receiver of All Duties and Liabilities;**
- (6) Exonerating Receiver's Bond;**
- (7) Authorizing Abandonment and Destruction of Records;**
- (8) Granting any Other Relief Related to the Wind Up of the Estate; and**
- (9) Limiting Notice Under Local Rule 66-7 Pertaining to Notice to Creditors**

Filed September 17, 2010

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NOTE: CHANGES MADE BY THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

FEDERAL TRADE
COMMISSION,

Plaintiff,

v.

DATA MEDICAL CAPITAL,
INC., *et al.*,

Defendants.

Case No. 8:99-cv-01266 AHS (EEEx)

**ORDER GRANTING MOTION FOR
ORDER (1) APPROVING FINAL
REPORT AND ACCOUNTING;
(2) APPROVING FINAL
DISTRIBUTION OF RECEIVERSHIP
ASSETS; (3) APPROVING RECEIVER'S
AND PROFESSIONALS' FEES AND
EXPENSES FROM NOVEMBER 1, 2009
THROUGH CLOSING;
(4) DISCHARGING RECEIVER;
(5) RELIEVING RECEIVER OF ALL
DUTIES AND LIABILITIES;
(6) EXONERATING RECEIVER'S
BOND; (7) AUTHORIZING
ABANDONMENT AND DESTRUCTION
OF RECORDS; AND (8) GRANTING
RELIEF FROM LOCAL RULE 66-7
PERTAINING TO NOTICE TO
CREDITORS**

The matter of the Motion for Order: (1) Approving Final Report and
Accounting; (2) Approving Final Distribution of Receivership Assets; (3)
Approving Receiver's and Professionals' Fees and Expenses From November 1,
2009 Through Closing; (4) Discharging Receiver; (5) Relieving Receiver of All

1 Duties and Liabilities; (6) Exonerating Receiver's Bond; (7) Authorizing
2 Abandonment and Destruction of Records; (8) Granting Any Other Relief Related
3 to the Wind Up of the Estate; and (9) Granting Relief From Local Rule 66-7
4 Pertaining to Notice to Creditors ("Wind Up Motion") filed by Robb Evans &
5 Associates LLC, the permanent receiver ("Receiver") over The Rodis Law Group,
6 Inc., America's Law Group, The Financial Group, Inc. dba Tax Relief ASAP and
7 any successors, assigns, affiliates and fictitious business names of the
8 aforementioned entities (collectively, the "Receivership Defendants") came on
9 regularly for hearing on September 17, 2010, at 1:30 p.m., before the Honorable
10 Alicemarie H. Stotler, United States District Judge presiding. Gary Owen Caris of
11 McKenna Long & Aldridge LLP appeared on behalf of the Receiver, and Kristin
12 M. Williams appeared on behalf of the Federal Trade Commission. No other
13 appearances were made despite due and proper notice of the Motion. The Court,
14 having reviewed and considered the Motion and the pleadings and papers filed in
15 support thereof, noting that no opposition was received, and having heard the
16 arguments of counsel at the hearing, and good cause appearing therefor,

17 IT IS ORDERED that:

18 1. The Motion and the relief sought therein is granted;

19 2. Without limiting the generality of the foregoing:

20 A. The Receiver's Final Report and Accounting attached collectively to
21 the Declaration of Brick Kane as Exhibit 1 (collectively the "Final Report") filed in
22 support of the Motion is hereby approved;

23 B. The Receiver is authorized to make a final distribution of all remaining
24 receivership assets to the Federal Trade Commission ("FTC") pursuant to the
25 Court's Contempt Judgment as to Bryan D'Antonio, The Rodis Law Group, Inc.,
26 America's Law Group, and The Financial Group, Inc., after payment of all
27 remaining Receiver's administrative expenses;

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1 C. All actions and activities taken by or on behalf of the Receiver and all
2 payments made by the Receiver in connection with the administration of the
3 receivership estate are hereby approved and confirmed;

4 D. All receivership administrative expenses, including the Receiver's fees
5 and expenses and those of its professionals incurred in connection with the
6 receivership proceeding, including those previously paid to the Receiver and its
7 counsel, are hereby approved, and all administrative expenses and Receiver's and
8 professionals' fees and expenses for the period from November 1, 2009 through the
9 closing of the receivership estate and the discharge of the Receiver are hereby
10 approved and authorized to be paid to the extent any such administrative expenses
11 and Receiver's and counsel's fees and expenses remain unpaid, including all actual
12 Receiver's and counsel's fees and expenses incurred and unpaid for the period from
13 November 1, 2009 through the closing of the estate, not to exceed \$29,028;

14 E. The Receiver is authorized to dispose of the records of the
15 Receivership Entities and any other corporations or businesses under the control of
16 any of the Receivership Entities in the possession, custody, or control of the
17 Receiver, so long as disposal shall be by a means that protects against unauthorized
18 access to customer information, such as burning, pulverizing, or shredding any
19 papers, and by erasing or destroying any electronic media, to ensure that the
20 customer information cannot practicably be read or reconstructed. Provided,
21 however, that the records, including customer information, need not be disposed of,
22 and may be disclosed, if, within 30 days after entry of the wind up order, the
23 Receiver has been served with a request by the FTC for possession of the records or
24 a subpoena by a law enforcement agency for the records, in which event the
25 Receiver is authorized to turn over the original records to the FTC or a law
26 enforcement agency in response to the request or subpoena;

27 F. Effective upon the completion of the Receiver's wind up of the estate,
28 payment of administrative expenses and final distribution of funds as provided

1 herein, the Receiver, its agents, employees, members, officers, independent
2 contractors, attorneys and representatives are hereby: (a) discharged; (b)
3 discharged and released from all claims and liabilities arising out of and/or
4 pertaining to the receivership herein; and (c) relieved of all duties and
5 responsibilities pertaining to the receivership previously established in this action;

6 G. The Receiver's bond shall be deemed exonerated effective upon the
7 completion of the Receiver's wind up of the estate, payment of administrative
8 expenses and final distribution of funds as provided herein; and

9 H. The notice of the Motion as provided by the Receiver is hereby
10 deemed sufficient under the circumstances, and the Receiver is relieved of the
11 obligation to provide notice of the Motion under Local Rule 66-7 to all known
12 creditors.

13 Dated: September 17, 2010.

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15 **ALICEMARIE H. STOTLER**

16 Alicimarie H. Stotler
17 United States District Judge
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