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Federal Trade Commission v. Equinox International Corp., et al.
CASE No. CV-S-99-0969 KJD (Pal)

**Order Approving Receiver's Determinations on Unresolved
Claims and Approving Plan of Distribution Providing for Equal
Treatment Between Classes of Distributor and Non-Distributor
Claimants**

Dated July 10, 2006

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ROBB EVANS

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13
14 FEDERAL TRADE COMMISSION,

15 Plaintiff,

16 v.

17 EQUINOX INTERNATIONAL
CORP., et al.,

18 Defendants.
19

CASE NO. CV-S-99-0969-KJD (PAL)

**ORDER APPROVING
RECEIVER'S DETERMINATIONS
ON UNRESOLVED CLAIMS AND
APPROVING PLAN OF
DISTRIBUTION PROVIDING FOR
EQUAL TREATMENT BETWEEN
CLASSES OF DISTRIBUTOR AND
NON-DISTRIBUTOR CLAIMANTS**

20 DATE: January 27, 2006
21 TIME: 11:30 a.m.
22 PLACE: Courtroom 6-D

23 The Motion of Robb Evans, Receiver, for Order Approving Receiver's
24 Determinations on Unresolved Claims and Approving Plan of Distribution
25 Providing for Equal Treatment Between Classes of Distributor and Non-Distributor
26 Claimants ("Motion") came on regularly for hearing on January 27, 2006 at 11:30
27 a.m. in Courtroom 6-D of the above-referenced Court, the Honorable Kent J.
28 Dawson, United States District Judge presiding. Gary Owen Caris, formerly a
member of Frandzel Robins Bloom & Csato, L.C., and as of January 30, 2006 a

1 member of McKenna Long & Aldridge LLP appeared on behalf of Robb Evans,
2 Receiver ("Receiver"), G. Mark Albright of Albright, Stoddard, Warnick &
3 Albright and Barry C. Barnett of Susman Godfrey L.L.P. appeared on behalf of the
4 Class Plaintiffs, Kathleen Delaney, Deputy Attorney General, appeared for the State
5 of Nevada, and Claimants Steven Lisonbee and Barbara Lisonbee appeared in
6 propria persona. There were no other appearances despite due and proper notice
7 having been given. The Court, having read and considered all papers filed in
8 support of the Motion, having read and considered the objections made by various
9 distributors to the Receiver's proposed claims determinations with respect to said
10 distributors as more particularly set forth in Exhibit A to the Motion, having read
11 and considered the Receiver's recommendations with respect to non-distributor
12 claims, including his objection to three non-distributor claims of De Lage Landen
13 Financial Services, Inc. ("De Lage"), having heard and considered the arguments
14 and contentions of counsel and of Steven Lisonbee, and good cause being shown
15 therefor, it is

16 ORDERED that:

- 17 1. The Receiver's Motion shall be and hereby is approved in its entirety.
- 18 2. The Receiver's recommendations with respect to the disputed
19 distributor claims set forth in Exhibit A to the Motion are approved and adopted in
20 their entirety.
- 21 3. The Receiver's motion to amend the Court's December 11, 2003 Order
22 that provided the Receiver had 120 days from the date the Notice of Claims Bar
23 Date was served on potential non-distributor claimants in which to file objections
24 with the Court in the event the Receiver disputed any such claims is granted and the
25 Receiver is permitted to object to non-distributor claims as more particularly set
26 forth in the Motion.

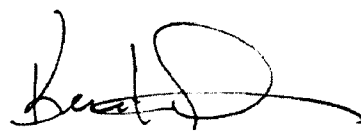
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1 4. The Receiver's recommendation with respect to the disallowance of
2 the three non-distributor claims submitted by De Lage is approved and adopted in
3 its entirety and De Lage's claims are denied.

4 5. There shall be equal treatment between classes of distributor claimants
5 and non-distributor claimants, and the Court approves and authorizes that all
6 distributions to be subsequently made herein shall be made on a pro-rata basis,
7 based on a combined pool of allowed distributor claimants and non-distributor
8 claimants, when assets become available for distribution, after resolution and
9 payment of the Internal Revenue Service claims and the fee request of Class
10 Counsel.

11 6. A telephonic status conference shall be held on March 17, 2006 at 9:30
12 a.m. for the purpose of determining the status of the settlement concerning the
13 Internal Revenue Service claims.

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15 Dated: July 10, 2006



Kent J. Dawson
United States District Judge

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PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the aforesaid county, State of California; I am over the age of 18 years and not a party to the within action; my business address is 444 South Flower Street, Los Angeles, California 90071.

On February 1, 2006, I served the **ORDER APPROVING RECEIVER'S DETERMINATIONS ON UNRESOLVED CLAIMS AND APPROVING PLAN OF DISTRIBUTION PROVIDING FOR EQUAL TREATMENT BETWEEN CLASSES OF DISTRIBUTOR AND NON-DISTRIBUTOR CLAIMANTS** on the interested parties in this action by placing the true copy/original thereof, enclosed in a sealed envelope, postage prepaid, addressed as follows:

SEE ATTACHED MAILING LIST.

I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service.

The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of such business.

(STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(FEDERAL) I declare under penalty of perjury that the foregoing is true and correct, and that I am employed at the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 1, 2006 at Los Angeles, California.

Pamela A Coates
Signature

Pamela A. Coates
Print Name

SERVICE LIST

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