

ROBB EVANS
Receiver of
D.W. Heath & Associates, Inc.;
PCM Fixed Income Fund I, LLC;
Private Capital Management, Inc.;
Private Collateral Management, Inc.
and the Schlarmann Interests

11450 Sheldon Street
Sun Valley, California 91352-1121
Telephone No.: (818) 768-8100
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Securities and Exchange Commission v. D. W. Heath & Associates Inc., et al.
CASE No. CV-04-02949 JFW (Ex)

Notice of Hearing on Motion for Order Approving and Authorizing
Payment of Receiver's and Professionals' Fees and Expenses
[October 1, 2006 Through March 31, 2007]

Filed May 25, 2007

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6 Attorneys for Permanent Receiver
ROBB EVANS

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 **SECURITIES AND EXCHANGE**
COMMISSION,

12 Plaintiff,

13 v.

14 **D.W. HEATH & ASSOCIATES, INC.,**
15 **etc., et al.,**

16 Defendants.

CASE NO. CV 04-02949 JFW (Ex)

**NOTICE OF HEARING ON MOTION
FOR ORDER APPROVING AND
AUTHORIZING PAYMENT OF
RECEIVER'S AND PROFESSIONALS'
FEES AND EXPENSES [OCTOBER 1,
2006 THROUGH MARCH 31, 2007]**

Date: June 18, 2007
Time: 1:30 p.m.
Place: Courtroom 16
312 N. Spring Street
Los Angeles, CA

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20 **TO: THE PARTIES TO THIS ACTION, THEIR COUNSEL OF RECORD,**
21 **CREDITORS OF THE RECEIVERSHIP ESTATE AND OTHER PARTIES-IN-**
22 **INTEREST:**

23 **PLEASE TAKE NOTICE** that on June 18, 2007, at 1:30 p.m., or as soon
24 thereafter as counsel may be heard in Courtroom 16 of the above-entitled Court
25 located at 312 North Spring Street, Los Angeles, CA, Robb Evans, as Permanent
26 Receiver of D.W. Heath & Associates, Inc., Private Capital Management, Inc.,
27 Private Collateral Management, Inc. and PCM Fixed Income Fund I, LLC, and their
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1 subsidiaries and affiliates and as Receiver over the Schlarmann Interests
2 ("Receiver"), will and does hereby move the Court for the following relief:

3 (1) An order approving and authorizing the payment of the fees and
4 expenses of the Receiver, the Receiver's staff, and the Receiver's counsel for the
5 six-month period from October 1, 2006 through March 31, 2007 ("Seventh Expense
6 Period"), including payment of the fees of the Receiver, the Receiver's deputies,
7 agents, staff and professionals, and reimbursement of costs incurred during the
8 Seventh Expense Period. The fees and expenses of the Receiver and his staff
9 incurred during the Seventh Expense Period total \$45,944.10 and his legal fees and
10 expenses, including those of outside counsel, incurred during the Seventh Expense
11 Period total \$24,371.23.

12 PLEASE TAKE FURTHER NOTICE that the Receiver's Fee Motion is
13 made pursuant to Local Rule 66-7(f), and is based upon the notice of motion and
14 motion, this notice of hearing, the memorandum of points and authorities,
15 declarations of Robb Evans and Gary Owen Caris, and the Appendix of Exhibits
16 served and filed with that motion, and upon such other pleadings and oral and
17 documentary evidence as may be presented at or before the time of hearing.


18 PLEASE TAKE FURTHER NOTICE that notice of the hearing on the
19 Receiver's Fee Motion is provided pursuant to this Court's Order: (1) Approving
20 Receiver's Report For The Period July 12, 2004 Through December 31, 2004; (2)
21 Approving Receiver's Proposed Claims Filing and Allowance Procedure; and (3)
22 Granting an Order Limiting Notice Under Local Rule 66-7 in Connection With
23 Administrative and Similar Motions Under Local Rule 66-7 entered March 4, 2005
24 ("Limited Notice Order").

25 PLEASE TAKE FURTHER NOTICE that pursuant to the Limited Notice
26 Order, the Receiver's Fee Motion, the memorandum and declarations but exclusive
27 of voluminous exhibits are posted on the Receiver's website at www.heath-
28 receiver.com, where they may be viewed by any interested party. Copies of the

1 Receiver's Fee Motion will be provided to any interested party upon receipt of a
2 written request, which may be sent to: Robb Evans & Associates LLC, 11450
3 Sheldon Street, Sun Valley, CA 91352-1121, Facsimile No. (818) 768-8802,
4 attention: Cherrie Eustaquio.
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6 Dated: May 25, 2007

MCKENNA LONG & ALDRIDGE LLP
Gary Owen Caris
Lesley Anne Hawes

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9 By: 
10 Gary Owen Caris

11 Attorneys for Robb Evans, Permanent
12 Receiver
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