

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

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Securities and Exchange Commission v. D. W. Heath & Associates Inc., et al.
CASE No. CV-04-02949 JFW (Ex)

Order Approving Payment of Receiver's and Professionals' Fees and Expenses for the Period from July 1, 2004 through December 31, 2004

Filed March 3, 2005

FRANDZEL ROBINS BLOOM & CSATO, L.C.
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12 ROBB EVANS

FILED
CLERK, U.S. DISTRICT COURT
MAR - 3 2005
CENTRAL DISTRICT OF CALIFORNIA
BY

2005 MAR 2 PM 2:44
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

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12 SECURITIES AND EXCHANGE
13 COMMISSION,
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15 Plaintiff,
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17 v.
18 D.W. HEATH & ASSOCIATES, INC.,
19 etc., et al.,
20
21 Defendants.

CASE NO. CV 04-02949 JFW (Ex)
**ORDER APPROVING PAYMENT
OF RECEIVER'S AND
PROFESSIONALS' FEES AND
EXPENSES FOR THE PERIOD
FROM JULY 1, 2004 THROUGH
DECEMBER 31, 2004**
DATE: February 28, 2005
TIME: 1:30 p.m.
DEPT.: Courtroom 16

20 The Motion for Order Approving Payment of Receiver's and Professionals'
21 Fees and Expenses for the Period From July 1, 2004 Through December 31, 2004
22 ("Motion") came on regularly for hearing on February 28, 2005 in Courtroom 16 of
23 the above-referenced Court, the Honorable John F. Walter, United States District
24 Judge Presiding. Gary Owen Caris of Frandzel Robins Bloom & Csato, L.C.
25 appeared on behalf of the permanent receiver, Robb Evans ("Receiver"), the moving
26 party; Michael A. Piazza, David S. Brown and Molly M. White appeared on behalf
27 of the Plaintiff Securities and Exchange Commission ("SEC"); Audwin Carey
28 Spence appeared on behalf of creditor Clarence Morris; and Debra A. Riley of Allen

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Matkins Leck Gamble & Mallory, LLP appeared on behalf of Robert L. Goodrich, Chapter 7 Trustee of the bankruptcy estate of Leslee Jane Heath. Other appearances, if any, were made as noted in the record. The Court having read and considered all papers filed in support of the Motion including the statement of non-opposition to the Motion filed by the SEC, and no opposition to the Motion having been filed despite due and proper notice of the Motion having been given, and good cause being shown therefor, it is

ORDERED as follows:

1. The Motion shall be and hereby is granted in its entirety.
2. The payment of the fees and expenses of the Receiver, the Receiver's staff, and the Receiver's counsel for the period from July 1, 2004 through December 31, 2004, as more particularly set forth in the Motion, is hereby approved.

JOHN F. WALTER

DATED: MAR - 3 2005

JOHN F. WALTER, United States
District Judge

FRANDZEL ROBINS BLOOM & CSATO, L.C.
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LOS ANGELES, CALIFORNIA 90048-4920
(323) 852-1000

PROOF OF SERVICE

I, the undersigned, declare and certify as follows:

I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of FRANDZEL ROBINS BLOOM & CSATO, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 6500 Wilshire Boulevard, Seventeenth Floor, Los Angeles, California 90048-4920.

On March 2, 2005, I served true copy(ies) of the ORDER APPROVING PAYMENT OF RECEIVER'S AND PROFESSIONALS' FEES AND EXPENSES FOR THE PERIOD FROM JULY 1, 2004 THROUGH DECEMBER 31, 2004, the original(s) of which is(are) affixed hereto, to the party(ies) listed on the attached service list.

BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice, it would be deposited with the United States Postal Service that same day in the ordinary course of business. Such document(s) were placed in envelopes addressed to the person(s) served hereunder for collection and mailing with postage thereon fully prepaid at Los Angeles, California, on that same day following ordinary business practices.

BY FACSIMILE: At approximately _____, I caused said document(s) to be transmitted by facsimile. The telephone number of the sending facsimile machine was (323) 651-2577. The name(s) and facsimile machine telephone number(s) of the person(s) served are set forth in the service list. The document was transmitted by facsimile transmission, and the sending facsimile machine properly issued a transmission report confirming that the transmission was complete and without error.

BY OVERNIGHT DELIVERY: I deposited such document(s) in a box or other facility regularly maintained by the overnight service carrier, or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents, in an envelope or package designated by the overnight service carrier with delivery fees paid or provided for, addressed to the person(s) served hereunder.

I certify under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on March 2, 2005, at Los Angeles, California.


HELEN SCHWARTZ

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SERVICE LIST

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U.S.D.C. Case No. CV 04-02949

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