

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)

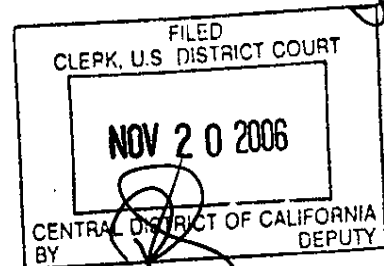
Order Granting Motion for Order:

- (1) Approving Receiver's Report of Activities [January 1, 2006 Through June 30, 2006]; and**
- (2) Approving and Authorizing Payment of Receiver's and Professionals' Fees and Expenses [May 1, 2006 Through September 30, 2006]**

Filed November 20, 2006

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SCANNED

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 SECURITIES AND EXCHANGE
14 COMMISSION,

15 Plaintiff,

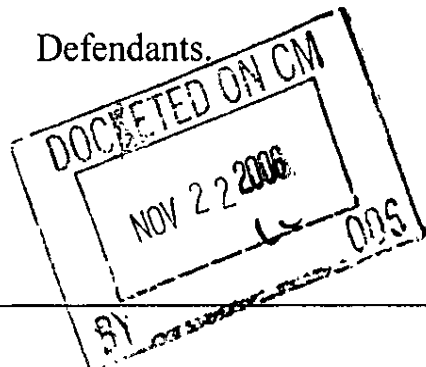
16 v.

17 D.W. HEATH & ASSOCIATES, INC.,
18 etc., et al.,

19 Defendants.

CASE NO. CV 04-02949 JFW (Ex)

**ORDER GRANTING MOTION FOR
ORDER: (1) APPROVING
RECEIVER'S REPORT OF
ACTIVITIES [JANUARY 1, 2006
THROUGH JUNE 30, 2006]; AND
(2) APPROVING AND
AUTHORIZING PAYMENT OF
RECEIVER'S AND
PROFESSIONALS' FEES AND
EXPENSES [MAY 1, 2006
THROUGH SEPTEMBER 30, 2006]**



20 DATE: November 20, 2006
21 TIME: 1:30 p.m.
22 DEPT.: Courtroom 16

23 The Motion for Order (1) Approving Receiver's Report Of Activities
24 [January 1, 2006 Through June 30, 2006]; And (2) Approving And Authorizing
25 Payment Of Receiver's And Professionals' Fees And Expenses [May 1, 2006
26 Through September 30, 2006] ("Motion") by Robb Evans as Permanent Receiver of
27 D.W. Heath & Associates, Inc., Private Capital Management, Inc., Private
28 Collateral Management, Inc. and PCM Fixed Income Fund I, LLC and their
subsidiaries and affiliates (collectively, the "Heath Receivership Defendants") and
as Receiver over the Schlarmann Interests ("Receiver"), came on regularly for

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1 hearing on November 20, 2006 at 1:30 p.m. in Courtroom 16 of the above-
2 referenced Court, the Honorable John F. Walter, United States District Judge
3 presiding. Gary Owen Caris of McKenna Long & Aldridge LLP appeared on
4 behalf of the Receiver and there were no other appearances in connection with the
5 Motion despite due and proper notice having been given. The Court, having read
6 and considered the Motion and the pleadings and papers filed in support thereof, no
7 opposition having been filed to the Motion, having heard and considered the
8 arguments and contentions of counsel and good cause appearing therefor, it is

9 ORDERED that:

- 10 1. The Motion is granted in its entirety;
- 11 2. The Receiver's Report of Activities for the period of January 1, 2006
12 through June 30, 2006 filed with the Court on July 31, 2006 is hereby approved and
13 the Receiver's activities as described therein are hereby confirmed; and
- 14 3. The fees and expenses of the Receiver, the Receiver's staff, and the
15 Receiver's counsel for the period from May 1, 2006 through September 30, 2006
16 ("Sixth Expense Period") as reflected in the Motion are hereby approved.
17 Specifically, the fees and expenses of the Receiver and the Receiver's staff during
18 the Sixth Expense Period in the total amount of \$56,756.06 and the Receiver's legal
19 fees and expenses, including those of outside counsel, incurred during the Sixth
20 Expense Period in the amount of \$44,272.51 are hereby approved. The Receiver's
21 request for authorization for payment of the approved fees and expenses is hereby
22 granted.

23
24 DATED: NOV 20 2006



John F. Walter
United States District Judge